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Report of the Committee on the Elimination of Discrimination against Women*

Twenty-fourth session

* The present document is the report of the Committee on the Elimination of Discrimination against Women on the work of its twenty-fourth session. The final report will be issued as *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 38* (A/56/38) and will include the report of the Committee on its twenty-fifth session (A/56/38 (Part II)).

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Contents

Chapter		*Paragraphs*	*Page*
	Letter of transmittal		4
I.	Matters brought to the attention of States parties		5
	Decisions		5
II.	Organizational and other matters	1–23	5
	A. States parties to the Convention on the Elimination of All Forms of Discrimination against Women	1–2	5
	B. Opening of the session	3–11	5
	C. Attendance	12–13	6
	D. Solemn declaration	14	6
	E. Election of officers	15	7
	F. Statement by the new Chairperson	16–17	7
	G. Adoption of the agenda and organization of work	18	7
	H. Report of the pre-session working group	19–22	8
	I. Organization of work	23	8
III.	Report of the Chairperson on the activities undertaken between the twenty-third and twenty-fourth sessions of the Committee	24–29	8
IV.	Consideration of reports submitted by States parties under article 18 of the Convention	30–358	9
	A. Introduction	30–31	9
	B. Consideration of reports of States parties	32	9
	1. Initial reports	32–194	9
	Burundi	32–67	9
	Kazakhstan	68–113	12
	Maldives	114–146	17
	Uzbekistan	147–194	20
	2. Combined second, third and fourth periodic reports of States parties	195–233	24
	Jamaica	195–233	24
	3. Combined third and fourth periodic reports of States parties	234–278	28
	Mongolia	234–278	28
	4. Third and fourth periodic reports of States parties	279–311	31
	Finland	279–311	31
	5. Third and combined fourth and fifth periodic reports of States parties	312–358	34
	Egypt	312–358	34

V. Ways and means of expediting the work of the Committee 359–369 39
VI. Implementation of article 21 of the Convention 370–385 41
VII. Provisional agenda for the twenty-fifth session 386 43
VIII. Adoption of the report 387 43

Letter of transmittal

19 April 2001

Sir,

I have the honour to refer to article 21 of the Convention on the Elimination of All Forms of Discrimination against Women, according to which the Committee on the Elimination of Discrimination against Women, established pursuant to the Convention, "shall, through the Economic and Social Council, report annually to the General Assembly of the United Nations on its activities".

The Committee on the Elimination of Discrimination against Women held its twenty-fourth session from 15 January to 2 February 2001 at United Nations Headquarters. It adopted its report on the session at the 508th meeting, on 2 February 2001. The report of the Committee is herewith submitted to you for transmission to the General Assembly at its fifty-sixth session.

Accept, Sir, the assurances of my highest consideration.

(*Signed*) Charlotte **Abaka**
Chairperson
Committee on the Elimination of Discrimination against Women

His Excellency Mr. Kofi Annan
Secretary-General of the United Nations
New York

Chapter I
Matters brought to the attention of States parties

Decisions

Decision 24/I
Rules of procedure of the Committee on the Elimination of Discrimination against Women

The Committee decided to adopt its rules of procedure, contained in document CEDAW/C/ROP. The text of the rules will be contained in annex I to the final report of the Committee for 2001.[1]

Decision 24/II
Gender and racial discrimination

The Committee decided to adopt a statement on gender and racial discrimination, to be forwarded to the second Preparatory Committee for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, to be held in Geneva from 21 May to 1 June 2001 (see para. 384 below). It also decided, subject to the availability of resources, to nominate the Chairperson and two other Committee members, as well as the two members resident in South Africa, to attend the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, to be held at Durban, South Africa, from 31 August to 7 September 2001, on its behalf.

Decision 24/III
Links with the Commission on the Status of Women

The Committee decided to develop closer links with the Commission on the Status of Women. In that regard, it drew attention to the willingness of members of the Committee to serve as experts in expert group meetings convened in preparation of the Commission and as panellists during Commission sessions.

Chapter II
Organizational and other matters

A. States parties to the Convention on the Elimination of All Forms of Discrimination against Women

1. On 2 February 2001, the closing date of the twenty-fourth session of the Committee on the Elimination of Discrimination against Women, there were 166 States parties to the Convention on the Elimination of All Forms of Discrimination against Women, which was adopted by the General Assembly in its resolution 34/180 of 18 December 1979 and opened for signature, ratification and accession in New York in March 1980. In accordance with article 27, the Convention entered into force on 3 September 1981.

2. A list of States parties to the Convention will be contained in annex II to the final report of the Committee for 2001.[1] A list of States parties that have accepted the amendment to article 20, paragraph 1, of the Convention will be contained in annex III.[1] A list of States parties that have signed, ratified or acceded to the Optional Protocol to the Convention will be contained in annex IV.[1]

B. Opening of the session

3. The Committee held its twenty-fourth session at United Nations Headquarters from 15 January to 2 February 2001. The Committee held 23 plenary meetings (486th to 508th) and its two working groups held 13 meetings.

4. The session was opened by the chairperson of the Committee, Aída González Martínez (Mexico), who had been elected at the twentieth session of the Committee, in January 1999.

5. Addressing the Committee, at its 487th meeting on 16 January 2001, the Assistant Secretary-General and Special Adviser to the Secretary-General on Gender Issues and the Advancement of Women, Angela E. V. King, welcomed the new members of the Committee who had been elected at the eleventh meeting of the States parties to the Convention on 31 August 2000 and congratulated the four members who had been re-elected at that meeting. She also welcomed the member who had been nominated by her Government and accepted by the Committee to

complete the term of a former member who had resigned. She expressed her gratitude to the experts whose terms had expired on 31 December 2000.

6. She said that 2000 had been a difficult but exciting year and that her Office and the Division for the Advancement of Women had been intensely involved with the preparations for the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century", as well as the session itself, during which Governments had reaffirmed their commitment to the goals and objectives of the Beijing Platform for Action[2] and agreed on further actions to ensure its full implementation.

7. She informed the Committee that on 22 December 2000, the Optional Protocol[3] to the Convention had entered into force, and that there were 15 States parties to the Optional Protocol and 65 signatories. There would be many more ratifications to the Optional Protocol, as its procedures became more widely known.

8. The Special Adviser stated that, as the Optional Protocol entered into force, the Committee would be faced with a large number of petitions from individuals and groups alleging violations of the Convention. She noted that the Committee was prepared for its new responsibilities under the Protocol, particularly as a result of the expert meeting that had taken place in Berlin in November 2000.

9. She informed the Committee that the Secretariat had been putting measures in place in order to ensure full support for the Committee in its mandate. In its resolution 55/70 of 4 December 2000, the General Assembly had requested the Secretary-General to provide the resources, including staff and facilities, necessary for the effective functioning of the Committee.

10. The Special Adviser said that on 7 September 2000, Saudi Arabia had become the one hundred sixty-sixth State party to ratify the Convention. Noting that 26 States had yet to ratify or accede to the Convention, she emphasized that efforts to encourage ratification of the Convention and the Optional Protocol, reporting and acceptance of the amendment to article 20, paragraph 1, of the Convention on the Committee's meeting time, had included bilateral meetings between her, as well as the Director of the Division for the Advancement of Women, and representatives of States. Future activities would include a seminar to be held at Auckland, New Zealand, from 13 to 15 February 2001 for States from the Pacific region.

11. She indicated that the Committee's work during the current session would include the adoption of rules of procedure for the Optional Protocol, agreed upon in Berlin, and the revised draft rules of procedure relating to the balance of the Committee's work. She reminded the Committee of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, which would be held at Durban, South Africa, from 31 August to 7 September 2001. She recalled that the Committee had drawn attention to the links between discrimination on the basis of sex and race and the particular disadvantages women affected by race discrimination could face. Several human rights treaty bodies had made contributions to the first session of the Preparatory Committee for the Conference in 2000. She welcomed the fact that the Committee had decided to prepare a contribution to the second session of the Preparatory Committee for the Conference, which would meet from 21 May to 1 June 2001.

C. Attendance

12. All members of the Committee attended the twenty-fourth session. Mavivi Myakayaka-Manzini attended from 17 January to 2 February; Emma Aouij from 15 to 23 January; Naela Gabr from 15 to 26 January; Rosario Manalo from 15 to 19 January; and Asha Rose Mtengeti-Migiro from 15 to 19 January.

13. A list of the members of the Committee, indicating the duration of their terms of office, will appear in annex V to the final report of the Committee for 2001.[1]

D. Solemn declaration

14. At the opening of the twenty-fourth session, at the 486th meeting of the Committee, before assuming their functions, the members elected at the eleventh meeting of States parties to the Convention, on 31 August 2000, made the solemn declaration provided for under rule 18 of the Committee's rules of procedure. They were Ayse Feride Acar (Turkey), Sjamsiah Achmad (Indonesia), Françoise Gaspard (France), Yolanda Ferrer Gómez (Cuba), Aída González

Martínez (Mexico), Fatima Kwaku (Nigeria), Göran Melander (Sweden), Asha Rose Mtengeti-Migiro (United Republic of Tanzania), Hanna Beate Schöpp-Schilling (Germany), Heisoo Shin (Republic of Korea) and Maria Regina Tavares da Silva (Portugal). Frances Livingstone Raday (Israel), who had been nominated by her Government and accepted by the Committee to complete the remaining period of the term of Carmel Shalev, also made the solemn declaration.

E. Election of officers

15. At its 486th meeting, on 15 January 2001, the Committee elected by acclamation the following officers for a term of two years (1 January 2001-31 December 2002), in accordance with article 19 of the Convention: Charlotte Abaka (Ghana), Chairperson; Ayse Feride Acar (Turkey), Rosario Manalo (Philippines) and Zelmira Regazzoli (Argentina), Vice-Chairpersons; and Rosalyn Hazelle (Saint Kitts and Nevis), Rapporteur.

F. Statement by the new Chairperson

16. Taking the floor upon her election, the newly elected Chairperson stated that it was a great honour to take up the chairpersonship at the beginning of the twenty-first century. Women and men, governmental and non-governmental organizations, academics and individual women's groups had struggled for over 20 years to get such a unique women's rights Convention into force, and States parties had used it to ensure that the principle of gender equality was integrated into their national systems, including constitutions. It was important to make a renewed commitment to the Convention. The coming into force of the Optional Protocol had made everyone very proud, and she complimented the entire Committee for its work on the Optional Protocol, making particular reference to Silvia Cartwright (New Zealand), an immediate past member of the Committee. She also commended the entire United Nations system as well as civil society, including non-governmental organizations, for this achievement.

17. The Chairperson indicated that she would prioritize several issues during her term, including the Committee's working methods. She was deeply concerned about a number of substantive issues that had become apparent during her time as a Committee member. They included: the high rate of maternal mortality in most of the States parties of the developing world, as well as countries in transition that were experiencing privatization of the health sector; the "invasion" of the human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS) pandemic in many developing countries, in particular, sub-Saharan Africa; the continued under-representation of women in decision-making, including national parliaments; the status of elderly women; and the problem of growing poverty associated with structural adjustment programmes that had been introduced in many developing countries.

G. Adoption of the agenda and organization of work

18. The Committee considered the provisional agenda and organization of work (CEDAW/C/2001/I/1) at its 486th meeting, on 15 January 2001. The agenda as adopted was as follows:

1. Opening of the session.
2. Solemn declaration by the new members of the Committee.
3. Election of officers.
4. Adoption of the agenda and organization of work.
5. Report of the Chairperson on activities undertaken between the twenty-third and twenty-fourth sessions of the Committee.
6. Consideration of the reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women.
7. Implementation of article 21 of the Convention on the Elimination of All Forms of Discrimination against Women.
8. Ways and means of expediting the work of the Committee.
9. Provisional agenda for the twenty-fifth session.
10. Adoption of the report of the Committee on its twenty-fourth session.

H. Report of the pre-session working group

19. At its ninth session, the Committee had decided to convene a pre-session working group for five days before each session to prepare lists of issues and questions relating to periodic reports that would be considered by the Committee at the following session. The pre-session working group for the twenty-fourth session of the Committee was held from 3 to 7 July 2000.

20. The following members representing different regional groups participated in the working group: Mavivi Myakayaka-Manzini (Africa), Rosario Manalo (Asia), Ayse Feride Acar (Europe) and Yolanda Ferrer Gómez (Latin America and the Caribbean).

21. The working group prepared lists of issues and questions relating to the reports of four States parties, namely: Egypt, Finland, Jamaica and Mongolia.

22. At its 487th meeting, on 16 January 2001, the Chairperson of the pre-session working group, Rosario Manalo, introduced the report of the working group (CEDAW/PSWG/2001/I/CRP.1 and Add.1-4).

I. Organization of work

23. At its 486th meeting, on 15 January 2001, the Committee decided to take up issues under agenda items 7 (Implementation of article 21 of the Convention) and 8 (Ways and means of expediting the work of the Committee) as a working group of the whole. The issues that it decided to consider were the revised draft rules of the Committee (CEDAW/C/2001/I/WG.1/WP.1); working methods, including the content of concluding comments and the function of the country rapporteur, and the Committee's contribution to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, which would be held at Durban, South Africa, from 31 August to 7 September 2001.

Chapter III
Report of the Chairperson on the activities undertaken between the twenty-third and twenty-fourth sessions of the Committee

24. At the 486th meeting, on 15 January 2001, the Chairperson of the Committee, Aída González Martínez, highlighted the entry into force of the Optional Protocol to the Convention on 22 December 2000, which would entail new responsibilities for the Committee. In June 2000, the Committee had started work on the procedures to govern the Optional Protocol. She said that Silvia Cartwright had collaborated with the Division for the Advancement of Women on the preparation of rules of procedure for the Optional Protocol and, with the financial support of the Government of Germany, the Committee had been able to finalize those rules during an expert meeting that had taken place at Berlin from 27 to 30 November 2000.

25. She had attended several events of importance, including a seminar in Chile, organized by the non-governmental organization La Morada, the Association of Female Magistrates and the Association of Female Judges of Chile, on the implementation of the Convention. She had attended a working meeting with the members of the Chilean congress on the implementation of the Convention and the possibility of Chile ratifying the Optional Protocol.

26. In October 2000, she had participated in the general debate of the Third Committee of the General Assembly. Many delegations had expressed support for the Convention and satisfaction at the imminent entry into force of the Optional Protocol. In her statement, she had said that the Committee had initiated work on the rules of procedure for the Optional Protocol and she had asked for support and additional resources so that the Committee could effectively fulfil its new responsibilities.

27. In November 2000, the Chairperson had attended the inauguration of a course on the rights of women in Costa Rica, organized by the Inter-American Institute for Human Rights. She said that Yolanda Ferrer Gómez had attended the Regional Latin-American Conference, which had taken place in Chile in December 2000. Zelmira Regazzoli had attended a seminar on international norms for the protection of women's

human rights in Chile in December 2000, which had been organized by the Andean Federation of Jurists.

28. The Chairperson said that she had been invited to participate in other events, which she had been unable to attend, including an international conference on statistics, development and human rights at Montreux, Switzerland, in September 2000. The outcome of that conference would be of particular interest to the Committee.

29. In conclusion, the Chairperson said that the twenty-fourth session of the Committee would include the formal adoption of the rules of procedure relating to the Optional Protocol and the balance of the Committee's work. It would also see the beginning of preparations for a general recommendation on article 4 of the Convention concerning temporary special measures aimed at accelerating de facto equality between men and women.

Chapter IV
Consideration of reports submitted by States parties under article 18 of the Convention

A. Introduction

30. At its twenty-fourth session, the Committee considered the reports of eight States parties submitted under article 18 of the Convention: the initial reports of four States parties; the combined second, third and fourth periodic report of one State party; the combined third and fourth periodic report of one State party; the third and fourth periodic reports of one State party; and the third and combined fourth and fifth periodic reports of one State party.

31. The Committee prepared concluding comments on each of the States parties considered. The Committee's concluding comments, as prepared by members of the Committee, and a summary of the introductory presentations by the representatives of the States parties are provided below.

B. Consideration of reports of States parties

1. Initial reports

Burundi

32. The Committee considered the initial report of Burundi (CEDAW/C/BDI/1) at its 488th, 489th and 496th meetings, on 17 and 23 January 2001 (CEDAW/C/SR.488, 489 and 496).

(a) Introduction by the State party

33. In introducing the report, the representative of Burundi informed the Committee that the socio-political crisis of 1993 and the economic embargo imposed by Burundi's neighbouring countries in 1996 had severely impeded national development and had in particular affected the situation of women. A fifth of the population lived below the poverty level, including many women heads of households who took care of a large number of orphans.

34. The representative reiterated the Government's firm commitment to the Convention, which was exemplified by the preparation of the initial report, despite the continuing socio-political crisis in the country. The Government of Burundi had adopted certain measures to assure the advancement of women by guaranteeing their fundamental freedom and individual rights based on equality. The Government also encouraged the establishment of women's associations and development projects for women. The Ministry of Social Action and the Advancement of Women and the Ministry of Human Rights, Institutional Reforms and Relations with the National Assembly had been entrusted with the implementation of the Convention.

35. Since the ratification of the Convention in 1991, the Government had adopted two decree laws to change the legal situation of women. The decree law adopted in 1993 reformed the Code of the Person and the Family and contained a number of measures eliminating discrimination against women, including abolition of polygamy and unilateral repudiation of marriage, and introducing legal divorce and regulation of age at marriage. Another decree law in 1993 revised the Labour Code and aimed to achieve social and economic justice. Chapter V of the Code addressed

women and labour, including women's rights during pregnancy and maternity.

36. The representative stated that the Transitional Constitution endorsed respect for the rights and obligations proclaimed and guaranteed by the Universal Declaration of Human Rights and other relevant regional and national legal instruments. Notably, the Transitional Constitution declared that all persons were equal before the law, without distinction of sex, origin, ethnic group, religion or opinion.

37. In the field of education, the representative deplored the high drop-out rate of girls in the transition from primary to secondary education, which had been accessible to only 10 per cent of children. The practice of giving preferential treatment to girls with lower grades than boys in admission to the secondary level, introduced in the 1970s, had been stopped owing to a concern that it would foster an inferiority complex among female students. The Government was aware that other corrective measures needed to be taken in regions with low levels of schooling, such as public awareness campaigns, incentives and coercion towards parents. She stated that, until recently, a girl would be expelled from school if she were pregnant. Such girls were now able to resume their education in another institution after the birth of their children.

38. The representative informed the Committee that there was a paucity of health care, particularly in the rural areas. More than 66 per cent of medical personnel remained concentrated in urban areas, where only 4 per cent of the population lived. Rural women, already burdened with an excessive domestic workload, had to travel long distances to receive basic social services. For that reason, 80 per cent of women gave birth at home, often under precarious sanitary conditions, and the maternal mortality rate was 826 per 100,000 live births. The Government had tried to redeploy medical personnel to the rural areas and to set up a public medical system. However, the task was immense and much more needed to be done, particularly since 30 per cent of the health-care infrastructure had been destroyed or impaired during the crisis. Assisted by the United Nations Population Fund (UNFPA), the Government had launched programmes on reproductive health for rural women.

39. Because the majority of women lived in rural areas, their livelihood was based on agricultural products. The Government had made great efforts to address their situation since, economically, rural women depended totally on male family members and had no inheritance rights and no economic control over the goods they produced. The Government promoted anti-poverty programmes through income-generating activities carried out by women's associations. Since 1996, the Ministry of Social Action and the Advancement of Women had established Family Development Centres all over the country to assist women in managing their own income.

40. The representative observed that, through the creation of the Union of Burundi Women, women had become aware of the important role they could play in all spheres of society. However, traditional attitudes still prevailed and very few women occupied decision-making positions in the National Assembly, judiciary, public administration, or public or private institutions.

41. The representative informed the Committee that the current crisis, extreme poverty and crowded living conditions in camps had given rise to prostitution. The Government had adopted legal measures to punish the trafficking of women, the exploitation of prostitution, violation of public decency and rape.

42. Women had played a key role in the peace process. From the outset, women had organized and gained observer status at the peace negotiations. The Arusha Accords formed the basis for building lasting peace and granted equal status to women and men, in accordance with the Convention. The Accords recognized the role of women in reconstruction and rehabilitation, and suggested the inclusion of women in all management structures related to reconstruction, the mobilization of women as peace mediators for national reconciliation, the adoption of laws on inheritance rights of women and the rebuilding of houses for homeless women. Reintegration or post-trauma counselling for women victims of violence or those forced into marriage was also considered necessary.

(b) Concluding comments of the Committee

43. The Committee commends the Government of Burundi for ratifying the Convention without reservations in 1991 and for preparing and presenting its initial report in a time of socio-political crisis, civil unrest and economic hardship. It welcomes the Government's efforts to comply with the Committee's reporting guidelines.

44. The Committee commends the Government for sending a high-level delegation headed by the Minister on the Status of Women. It appreciates the frankness with which the report was prepared and its sincere presentation by the State party, which allowed the Committee to engage in a constructive dialogue.

Positive aspects

45. The Committee welcomes the State party's efforts to implement the Convention despite the difficult socio-political and economic situation. In particular, the Committee welcomes the creation of a national plan of action in the follow-up to the Fourth World Conference on Women, which is testimony to the importance given to the advancement of women.

46. The Committee welcomes the establishment of the Ministry of Social Action and the Advancement of Women and the Ministry of Human Rights, Institutional Reforms and Relations with the National Assembly, which are jointly responsible for the implementation of the Convention.

47. The Committee commends the Government for the legal reforms introduced since the ratification of the Convention in 1991, in particular the reform of the Code of the Person and the Family and the Labour Code.

Factors and difficulties affecting the implementation of the Convention

48. The Committee recognizes that the civil war and the economic crisis pose serious challenges to the full implementation of the Convention. It also notes that deep-seated prejudice and stereotypical perceptions of the role of women and some customary and traditional practices pose significant obstacles to implementation.

Principal areas of concern and recommendations

49. The Committee considers the absence of peace to be the most serious obstacle to the full implementation of the Convention. It also expresses its concern about the number of women who have been affected by violence during conflict.

50. The Committee recommends that, in the implementation of the Arusha Accords and in accordance with those Accords, emphasis be placed on the role of women in reconstruction and that the acceleration of women's equality be integrated in all its aspects. It urges that special efforts be made to include women in national reconciliation and peace-building initiatives. It recommends that the Government encourage women from all ethnic groups and women who are victims of violence and armed conflict to become advocates for peace.

51. The Committee recommends that, when introducing quotas for ethnic groups, the Government also consider introducing measures as permitted under article 4, paragraph 1, of the Convention and outlined in the Committee's general recommendation 23 on women in public life to increase the participation of women in decision-making at all levels. It emphasizes the importance of strict adherence to principles of gender equality in all reconstruction efforts.

52. The Committee expresses its concern about the situation of displaced women and girls and their living conditions, including those in refugee camps.

53. The Committee recommends that the Government give greater assistance to refugee and displaced women and girls and carry out rehabilitation efforts directed at such women and girls. It stresses the importance of mainstreaming a gender perspective in all policies and programmes of national and international assistance for displaced people.

54. The Committee also recommends the provision of post-trauma counselling, as stipulated in the Arusha Accords, for women who are victims of gender-based violence. It calls upon the Government to ensure that relevant personnel are trained to give such assistance.

55. The Committee notes with concern the existence of legislative provisions that discriminate against women. It also expresses its concern at the existing gap between de jure and de facto equality.

56. The Committee recommends that the State party take steps to bring discriminatory legislative provisions from, inter alia, the Code of the Person and the Family and the Penal Code into line with the Convention. It recommends review of provisions that predicate differential ages of marriage for women (article 88 of the Code of the Person and the Family), indicate that the man is head of the household (article 122 of the Code of the Person and the Family) and establish discriminatory provisions with regard to adultery (article 3 of the Penal Code). In addition, the Committee encourages the Government to ensure the

implementation of laws and policies that provide for de jure equality and seek to eliminate discrimination against women. It recommends that the Government ensure that those charged with responsibility for the implementation of laws and policies be made fully aware of their contents and that public education and legal literacy campaigns be put in place to ensure wide knowledge of law and policy reform.

57. The Committee expresses its concern about the high prevalence of illiteracy among women and the low level of schooling of girls, especially in the rural areas. It notes that education is a key to the empowerment of women, and low levels of education of women remain one of the most serious impediments to national development.

58. The Committee urges the Government to continue its efforts to improve the access of girls to all levels of education and to prevent drop-outs. It encourages the Government to introduce corrective measures that address all stakeholders involved, including incentives for parents, and to consider requesting international assistance to improve women's and girls' education.

59. The Committee is alarmed by the increasing rate of HIV/AIDS, which has eroded earlier gains in the country. It expresses its concern about the absence of facilities for the care of those infected and affected.

60. The Committee urges the Government to take a multifaceted and holistic approach to combating the HIV/AIDS pandemic, one which not only incorporates broad-based educational strategies but also includes practical prevention efforts, such as increased access to both male and female condoms. It encourages the Government to consider requesting international assistance for this purpose. The Committee underlines the fact that the collection of reliable data on the incidence of HIV/AIDS is critical to gaining an understanding of the pandemic and to informing policies and programmes.

61. The Committee expresses its concern about the high rate of maternal mortality, especially in rural areas, including deaths as a result of illegal abortions.

62. The Committee recommends that the State party make every effort to increase access to health-care facilities and medical assistance by trained personnel in all areas, including rural areas, so as to increase, in particular, the number of births assisted by qualified personnel. It recommends the introduction of effective measures, such as sex education and information campaigns and the provision of effective contraception, to reduce the number of clandestine abortions. The Committee emphasizes that abortion should not be used as a method of family planning.

63. The Committee expresses its concern about the persistence of stereotypes that confine women and girls to traditional roles.

64. The Committee invites the Government to take concrete steps, including sector-specific and general awareness campaigns, to eliminate deep-rooted prejudice and stereotypes in order to achieve de facto equality.

65. The Committee encourages the Government to consider ratification of the Optional Protocol to the Convention and acceptance of the amendment to article 20, paragraph 1, of the Convention, relating to the Committee's meeting time.

66. The Committee urges the Government to respond in its next periodic report to the specific issues raised in the present concluding comments. It also urges the Government to improve the collection and analysis of statistical data, disaggegrated by gender and age, and to submit such data to the Committee in its next report.

67. The Committee requests that the text of the present concluding comments be widely disseminated in Burundi so as to inform the public, in particular administrators, officials and politicians, of the measures taken to guarantee equality de jure and de facto between men and women and of further measures to be adopted in that area. The Committee urges the Government to continue to give broad publicity to the Convention, its Optional Protocol, the general recommendations of the Committee, the Beijing Declaration and Platform for Action, and the results of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century", which took place in June 2000, particularly among women's associations and human rights organizations.

Kazakhstan

68. The Committee considered the initial report of Kazakhstan (CEDAW/C/KAZ/1) at its 490th, 491st and 497th meetings, on 18 and 23 January 2001 (see CEDAW/C/SR.490, 491 and 497).

(a) Introduction by the State party

69. In introducing the report, the representative of Kazakhstan highlighted recent political, social and legal developments in Kazakhstan, noting that 2000 had been marked by an increase of productivity in the main sectors of economy that would allow increasing expenditure on social needs of the population, especially women and children. She indicated that Kazakhstan had acceded to 30 international human rights treaties, and that the ratification of the Convention in 1998 without reservations was an expression of the country's commitment to the advancement of women and achieving goals of gender equality. She drew attention to the fact that the Optional Protocol had been signed by President N. A. Nazarbayev in September 2000 and was currently going through the ratification process in Parliament.

70. The representative said that the Constitution did not contain a reference to "discrimination against women". However, international treaties ratified by Kazakhstan, including the Convention, took precedence over national laws. The principle of equality between men and women was the foundation of the legislation of Kazakhstan as well as the draft law on equal rights and equal opportunities.

71. By an order of the President, the National Commission for Family and Women had been established in 1998 to ensure the necessary conditions for the participation of women in the political, social, economic and cultural life of the country. The Commission had developed, in accordance with the recommendations of the Beijing Platform for Action, a national plan of action for the improvement of the status of women in Kazakhstan. Cooperation between governmental bodies and non-governmental organizations in the development of policies and programmes for women was increasing, and Kazakhstan had benefited from cooperation with and technical assistance from international organizations, especially UNFPA, the United Nations Development Fund for Women (UNIFEM) and the Organization for Security and Cooperation in Europe (OSCE).

72. The representative informed the Committee that a special parliamentary group on the family and a special subcommittee of the lower chamber of the Parliament on the issues of women, family, youth, tourism and sport had been created since the submission of the initial report. A section entitled "Women in development" had been included in the indicative plan for social and economic development of the country for 2000-2005. From 2000, national legislation had been subject to gender analysis and amendments on violence against women had been introduced into the Criminal Code. The Government had also started to collect statistical data disaggregated by sex and had published a statistical handbook entitled "Women and men in Kazakhstan".

73. The changes currently taking place in the economy had negatively affected the situation of women in the labour market. Women represented two thirds of the unemployed, and the Government had recently adopted a new programme on combating poverty and unemployment for 2000-2002. The Government planned to decrease the level of unemployment by 4.5 per cent to approximately 9 per cent by 2002, and it was envisaged that over 400,000 new jobs would be created as a result of that programme. The Government was also promoting industries in which women were traditionally highly represented. The National Commission for Family and Women had initiated a special credit line to support women entrepreneurs working in the production sector. A State programme of microcredit targeting the rural population, including women, had been successfully implemented during the period 1998-2000, and would be strengthened over the period 2000-2003.

74. The representative emphasized the educational achievements of women, noting in particular that women constituted 62 per cent of specialists with higher and secondary levels of education. In the course of the 1999 election campaign, non-governmental organizations had united and registered the first women's party in Kazakhstan — the Political Alliance of Women's Organizations. The participation of women in public and political life remained a concern, with women constituting only 11 per cent of the total number of members of Parliament. Kazakhstan intended to implement the recommendations of the Beijing Platform for Action regarding quotas of 30 per cent for women at the decision-making level.

75. Efforts to change traditional stereotypes and attitudes regarding the role of women in the society included the drafting of a law on advertising, which would prohibit the sexual exploitation of women, and, from 2001, the introduction of gender studies in higher and secondary education. The representative informed the Committee that the Government was paying serious

attention to the issue of violence against women, especially domestic violence, and that the conclusions and recommendations of the comprehensive study conducted by the Government on the issues of violence against women would constitute the framework for a draft law on domestic violence. A network of crisis centres had been established in various cities of the country. The Government had also reinforced legislation and measures against trafficking in women and girls.

76. The representative said that Kazakhstan had implemented the "Health of the nation" programme in order to combat tuberculosis and other diseases and to improve reproductive health care and family planning. Maternal and child mortality had declined. The Government was addressing the negative impact of environmental degradation on the population, especially on women and children.

77. In closing, the representative informed the Committee that her Government fully understood that much more needed to be done in order to achieve equality between women and men. She emphasized the Government's full commitment to continuing its work in that regard and to overcoming obstacles that the women of Kazakhstan still encountered.

(b) Concluding comments of the Committee

78. The Committee expresses its appreciation to the Government of Kazakhstan for the timely submission of its initial report. It commends the Government on its comprehensive oral presentation, which updated the developments in the country since the submission of the report in December 1999 and further clarified the current status of implementation of the Convention. The Committee welcomes the high-quality statistical data disaggregated by sex contained in the report.

79. The Committee commends the Government of Kazakhstan for sending a high-level delegation headed by the Minister and Chairperson of the National Commission for Family and Women, who provided valuable information and established a constructive dialogue with the members of the Committee. The Committee welcomes the fact that the Government of Kazakhstan has a national plan of action for the advancement of women.

80. The Committee welcomes the fact that Kazakhstan has ratified the Convention without reservations and has signed the Optional Protocol, and intends to ratify it as soon as possible.

Positive aspects

81. The Committee commends the Government for its political will to implement the Convention. It notes with appreciation the incremental establishment of comprehensive national mechanisms for the advancement of women and the efforts of the Government to conduct gender assessment of its legislation. The Committee welcomes the efforts to elaborate a law on equal opportunities and to establish the office of ombudsman.

82. The Committee also commends the Government for the high levels of education among women. The Committee notes with appreciation the measures taken by the Government to provide credit to women entrepreneurs.

83. The Committee welcomes the increasing cooperation between governmental bodies and non-governmental organizations working on women's issues.

84. The Committee also welcomes the decision of the Government to disseminate the report and the concluding comments widely in the country.

Factors and difficulties affecting the implementation of the Convention

85. The Committee considers that the country's ongoing transformation has had a negative impact on women.

86. The persistence of traditional stereotypes of women and men in society also constitutes a major impediment to the full implementation of the Convention.

Principal areas of concern and recommendations

87. The Committee is concerned that although the Constitution provides for the equality of all citizens, it does not contain a definition of discrimination against women in accordance with article 1 of the Convention, which prohibits both direct and indirect discrimination. The Committee is also concerned about the status of the Convention and whether its provisions can be directly invoked before the courts.

88. The Committee urges the Government to adopt as soon as possible the draft law on equal opportunities, which includes a definition of discrimination against women modelled on article 1 of the Convention. It requests that information be provided on the next report on the law's adoption and implementation and that additional information be provided in the next report on remedies available to women for violation of their rights protected by the Convention.

89. The Committee expresses its concern that there is a lack of clear understanding of temporary special measures according to article 4, paragraph 1, of the Convention. It also expresses its concern that stereotypical attitudes regarding the role of women and men in society are reflected in the low representation of women in decision-making bodies, and the fact that women hold only 11 per cent of the seats in Parliament. It notes that traditional attitudes towards women are also reflected in the lack of sharing of family responsibilities by men and there is no legislative provision for parental leave. It expresses further concern about the lack of targeted educational programmes and mass media campaigns to eliminate those stereotypes.

90. The Committee recommends that the Government take urgent measures to overcome traditional stereotypes of women and men in society. It recommends that the Government take steps to create an understanding of temporary special measures in accordance with article 4, paragraph 1, of the Convention and implement such measures to increase the number of women in decision-making at all levels and in all areas. It recommends that the Government strengthen efforts to promote women to positions of power by organizing special training programmes for women and conducting awareness-raising campaigns on the importance of women's participation in decision-making at all levels.

91. The Committee expresses its concern that the Government lacks an integrated policy and institutional approach to achieving women's equality with men, including the aspect of gender mainstreaming.

92. The Committee recommends that the Government integrate a holistic approach to women's equality with men in all fields of its activities. The Committee notes that a shift from a focus on women solely as wives and mothers, to individuals and actors equal to men in society is required for the full implementation of the Convention. The Committee also recommends a review of and subsequent shift from a welfare approach directed at women to a human rights approach in which women are perceived as being entitled to their rights.

93. The Committee expresses its concern about the adequacy of the financial and human resources of the national machinery for the advancement of women.

94. The Committee recommends that the Government assess the resources of the national machinery and provide it with the necessary human and financial resources to allow it to provide leadership in the implementation of policy to ensure the advancement of women. It also recommends the strengthening of existing national governmental mechanisms for women by establishing gender focal points in all governmental bodies. It further recommends the creation of an ombudsman's office to address issues of women's advancement and gender equality.

95. The Committee expresses its concern at the prevalence of violence against women and girls, including domestic violence.

96. The Committee urges the Government to make the issue of violence against women a high priority and to recognize that such violence, including domestic violence, constitutes a violation of human rights of women under the Convention. In the light of its general recommendation 19, the Committee requests the Government to enact legislation on domestic violence as soon as possible, and to ensure that violence against women and girls constitutes a criminal offence and that women and girl victims of violence have immediate means of redress and protection. It recommends gender training for all public officials, in particular law enforcement officials and the judiciary, as well as health workers, to educate them about all forms of violence against women and girls. The Committee also recommends that the Government organize awareness-raising campaigns through the media and public education programmes to address all forms of violence against women and girls, including domestic violence.

97. The Committee expresses its concern that the Government has not made sufficient effort to address the issue of trafficking in women and girls.

98. The Committee requests the Government to provide in its next report, comprehensive information on trafficking in women and girls, as well as female migration. It recommends the formulation of a

comprehensive strategy to combat trafficking in women, which should include the prosecution and punishment of offenders and increased international, regional and bilateral cooperation. It also recommends the introduction of measures aimed at improving the economic situation of women so as to reduce their vulnerability to traffickers, and rehabilitation and reintegration measures for women and girls who have been victims of trafficking.

99. While noting with appreciation the high level of education among women in a wide range of disciplines, the Committee expresses its concern about the low representation of women in senior decision-making positions, as well as in highly paid jobs.

100. The Committee encourages the Government to analyse the correlation between the high level of educational attainments of women and their income levels. It recommends the introduction of measures to accelerate the representation of women at all levels of decision-making. It urges the Government to implement the planned curriculum reform and revision of textbooks in order to combat the traditional attitudes towards women, and to help create an enabling environment for promoting women's presence in high-level and well-paid positions.

101. The Committee expresses its concern with the situation of women in the labour market, in particular with the high level of women's unemployment and discrimination in recruitment and dismissal. The Committee also expresses its concern that the present structuring of the social benefits system and the protective labour legislation might create additional obstacles to the employment of women in the labour market, especially in the process of transition to a market economy.

102. The Committee urges the Government to enforce appropriate legislation and to ensure equal opportunities for women and men in the public and private sectors of the labour market. It recommends that the Government review the structuring of the social benefits system and of protective legislation with a view to reducing the barriers against the participation of women in the labour market. It also recommends that the Government design and implement special training and retraining programmes for different groups of unemployed women according to their percentage of the unemployed population and their skills and education. It further recommends wage increases in female-dominated sectors in order to decrease the wage differentials between those and male-dominated sectors.

103. The Committee expresses its concern about the high increase in poverty among women compared with men, in particular among households headed by females and older rural women.

104. The Committee recommends the specific targeting of poor women and, in particular, those who are heads of household and older and rural women, with poverty alleviation programmes.

105. While noting a decline in the mortality rate of women, the Committee expresses its concern about the status of women's health, especially their reproductive health. It is alarmed that free access to health care appears to be no longer available to all women. It also expresses its concern that abortion continues to be used as a means of birth control. The large number of women suffering from anaemia and the incidence of infectious diseases alarms the Committee. It further expresses its concern about the increase in the use of alcohol and tobacco among women. The Committee expresses concern about the degree of environmental degradation in the country and its extremely negative impact on the health of the whole population, in particular on women and children.

106. The Committee urges the Government to maintain free access to adequate health care and to improve its family planning and reproductive health policy, including availability of and accessibility to modern contraceptive means. It encourages the Government to promote sex education for both girls and boys, as well as educational programmes to combat alcohol and drug abuse among women. The Committee also urges the Government to design and implement a sound environmental policy aimed at protecting the health of women and children.

107. The Committee notes with concern the insufficient capacity and resources of women's non-governmental organizations, making it difficult for them to implement various projects and programmes in support of human rights of women.

108. The Committee recommends that the Government provide support for the work of women's non-governmental organizations by, inter alia, encouraging greater cooperation between them and the specialized agencies of the United Nations system and by

increasing the awareness of the private sector and individuals regarding possible donations to women's organizations.

109. The Committee expresses its concern with the situation of rural women, including their access to health-care services, education and income-generating activities.

110. The Committee recommends that the Government pay greater attention to the situation of rural women and develop special policies and programmes aimed at their economic empowerment, ensuring their access to capital and productive resources as well as to health-care services and educational and social opportunities.

111. The Committee urges the Government to approve the amendment to article 20, paragraph 1, of the Convention concerning the Committee's meeting time.

112. The Committee also urges the Government to respond in its next periodic report to the specific issues raised in the present concluding comments.

113. The Committee requests that the text of the present concluding comments be widely disseminated in Kazakhstan so as to inform the public, in particular administrators, officials and politicians, of the measures taken to guarantee de jure and de facto equality between women and men and of the further measures that need to be adopted in this area. The Committee urges the Government to continue to give wide publicity to the Convention, its Optional Protocol, the general recommendations of the Committee, the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century", particularly among women's groups and human rights associations.

Maldives

114. The Committee considered the initial report of Maldives (CEDAW/C/MDV/1) at its 498th, 499th and 506th meetings, on 24 and 30 January 2001 (see CEDAW/C/SR.498, 499 and 506).

(a) Introduction by the State party

115. In introducing the report, the representative of Maldives informed the Committee that there had been several positive developments since the submission of the initial report in 1998. She noted that the existing laws and policies did not discriminate against women in the areas of access to health services, education and employment, but socio-cultural factors restricted women's de facto enjoyment of rights in these areas. The fifth national development plan period was almost over and the sixth national development plan currently being drawn up would incorporate a separate section on gender as a cross-cutting policy issue to ensure that gender concerns were addressed in development planning.

116. The representative said that measures, including public awareness-raising campaigns and the promotion of family life education, had been taken to eliminate traditional stereotypical attitudes with regard to the roles of women, and were reinforced by images in textbooks and the media. Although domestic violence was still largely considered to be a private matter, the Government had initiated public awareness campaigns to address such violence. Women who were victims of domestic violence could now report to the National Security System, which dealt with the issue through the criminal law. Trafficking in women and girls was not considered to be a problem in Maldives, but with the growing expatriate population it was believed there would be a need to introduce anti-trafficking measures in the future. Prostitution was illegal and subject to strong religious and social sanctions, but it was thought to exist.

117. The representative informed the Committee that although the Constitution indicated that the Head of State of Maldives should be male, the political participation of women, as both voters and candidates, was encouraged. Despite public awareness and legal literacy campaigns aimed at increasing women's political participation, few women candidates presented themselves for election and only 10 per cent of the Majlis were women. In 2000, two women had been appointed to the post of Assistant Island Chief, the second highest-ranking island official, while one woman had been appointed acting Atoll Chief. There were no legal barriers to women participating in the foreign service or in international organizations, but only one female diplomat was currently working abroad.

118. The representative said that there was no discrimination with regard to nationality and that women had equal rights with men to acquire, retain or change their nationality. Marriage to a foreigner did not change a woman's nationality, and the 1998

Constitution had conferred Maldivian citizenship on children born to Maldivian mothers and foreign fathers. Women could obtain a passport and travel without the permission of their spouses or other male relatives.

119. The representative informed the Committee that no affirmative action policies to ensure gender equality existed. There was no disparity in the enrolment of girls and boys up to grade 10, which resulted in a very high rate of literacy among girls until secondary school. Only a limited number of students gained access to higher education because of the absence of a university in the country and transportation difficulties. There were no quotas for scholarships, including in traditionally male-dominated disciplines, such as engineering and law. Although there was no discrimination between women and men where access to employment or remuneration were concerned, cultural practices promoted gender segregation in employment, with traditional views on the division of labour dictating that women's primary responsibility was with regard to childcare, the household and agricultural activities.

120. The representative noted that women and men had equal access to health care and that the overall health situation had improved as a result of better access to health and medical services. There was no disparity in the health status of girls and boys and no substantial difference in infant mortality and growth rates. A number of government initiatives had been introduced to address persisting disparities between the nutritional and health status of women and men during the reproductive years, and the media had launched public awareness campaigns on reproductive health.

121. The representative said that a new Family Law had been enacted by the Majlis in December 2000 and would enter into force on 1 July 2001. The law would include provisions on conditions for prenuptial agreements, polygamy and divorce. The new law would terminate the husband's right to non-judicial unilateral divorce and require court proceedings. It would also provide for the equal division of joint property on divorce and financial provision from the former husband for children and former wives. Eighteen years would be established as the minimum legal age of marriage for both women and men, unless the marriage registrar determined that there were special circumstances, despite the fact that the sharia provided that an individual could enter into marriage upon puberty. In that regard, the Government had implemented a programme to discourage and prevent early marriages.

(b) Concluding comments of the Committee

122. The Committee expresses its satisfaction at the submission of the initial report of the Government of Maldives and the frank and constructive dialogue with the delegation. The Committee notes that the report did not provide specific and adequate information on national plans and laws in conformity with the Committee's guidelines, but appreciates the additional information given in the documents provided during the session and oral responses.

Positive aspects

123. The Committee commends the political will expressed in the Maldives "Vision 20/20" to work towards women's human rights as an integral dimension of national development. It welcomes the efforts at gender mainstreaming in the national plan of action and the national development plan.

124. The Committee also commends the recent measures taken to increase the participation of women as atoll chiefs and in island women's committees and atoll development committees.

125. The Committee welcomes the progress achieved and reflected in a very high adult literacy rate for women, and parity among boys and girls in primary and secondary education. It commends the improved indicators on life expectancy for women.

126. The Committee commends the efforts made to appraise laws for discrimination against women. The Committee welcomes, in particular, the ongoing efforts to bring the law on family relations into harmony with the Convention through the adoption of a new Family Law.

127. The Committee commends the Government for amending its nationality law and for granting women equal rights with men to acquire, change or retain their nationality, and also to transfer their nationality to their children.

128. The Committee also commends the Government for its progressive development of the national machinery and the establishment in 1998 of a Ministry of Women's Affairs and Social Security. It welcomes the initiative to reconstitute the National Women's

Council as a Gender Equality Council chaired by the President of Maldives.

Factors and difficulties affecting the implementation of the Convention

129. The Committee notes that geographical distances between islands and atolls as well as stereotypes constitute impediments to the full implementation of the Convention.

Principal areas of concern and recommendations

130. The Committee expresses its concern with the reservations entered by the State party to articles 7 (a) and 16 of the Convention. It is concerned that the reservation to article 7 (a) on political participation supports the retention of legislative provisions excluding women from the office of the President and the Vice-President of the country.

131. The Committee urges the Government to withdraw these reservations and to repeal legislation limiting women's political participation in public life.

132. The Committee regrets that there is an absence of an effective machinery to enforce the rights recognized by the Constitution and to claim remedies. The Committee expresses its concern that the constitutional provisions on fundamental rights do not include non-discrimination on the ground of sex.

133. The Committee urges the Government to incorporate in the Constitution a provision against sex discrimination and to provide for the effective enforcement of fundamental rights.

134. The Committee notes that the Government has not yet introduced temporary special measures according to article 4, paragraph 1, of the Convention to improve women's access to higher education, decision-making positions and legislative bodies at the national and local levels.

135. The Committee urges the Government to introduce temporary special measures in a short-term and long-term framework. It requests the Government to combine them with public awareness and legal literacy programmes that challenge sexual stereotypes and recognize the right of women to equality. The Committee urges the Government to give priority to developing such programmes in areas of the country with high literacy levels.

136. The Committee notes with concern that early marriage and domestic responsibilities contribute to high dropout rates for girls. The Committee urges the Government to introduce minimum age of marriage laws and other programmes to prevent early marriage in line with the obligations of the Convention.

137. The Committee notes with concern the under-reporting of violence against women, including domestic violence, and the absence of effective laws and law enforcement and a support system for women who are victims of violence. It expresses particular concern that violence against women is understood in the community and in the legal system to be a private matter rather than an infringement of human rights and a violation of the Convention.

138. The Committee urges the Government to improve law enforcement measures, enact laws on domestic violence, including domestic violence and marital rape, according to general recommendation 19 on violence against women, and work with women's groups to obtain reliable data and provide relief to victims of violence. The Committee requests the Government to respond to this issue in national plans, based on the Beijing Platform for Action and the Commonwealth Plan of Action. It calls upon the Government to create public awareness on violence against women as an infringement of human rights that has grave social costs for the whole community.

139. The Committee expresses its concern that family laws discriminate against women and notes with concern the high divorce rates, which have an adverse impact on women and children.

140. The Committee urges the Government to enforce the new family law, which tries to address this problem, and to continue its efforts to reform all areas of family law so as to protect the human rights of women.

141. The Committee calls upon the Government to obtain information on comparative jurisprudence seeking to interpret Islamic law in harmony with international human rights standards and the Beijing Platform for Action.

142. The Committee notes with concern that the health and nutrition of girls suffer after puberty and that maternal mortality and morbidity rates and the mortality rate of girls under the age of 5 years remain at unsatisfactory levels. The Committee is also

concerned that patriarchal and stereotypical attitudes have a negative impact on women's health and nutrition.

143. The Committee calls upon the Government to obtain information on the causes of maternal mortality, malnutrition and morbidity and the mortality rate of girls under the age of 5 years, and to develop programmes to address those problems.

144. The Committee urges the Government to sign and ratify the Optional Protocol to the Convention and to deposit as soon as possible its instrument of acceptance of the amendment of article 20, paragraph 1, of the Convention on the meeting time of the Committee.

145. The Committee requests the Government to respond in its next periodic report to the specific issues raised in the present concluding comments. It also requests the Government to provide in its next report an assessment of the impact of measures taken to implement the Convention.

146. The Committee requests the wide dissemination in Maldives of the present concluding comments in order to make the people of Maldives, and in particular government administrators and politicians, aware of the steps that have been taken with regard to de jure and de facto equality for women and for the future steps that are required in that regard. It also requests the Government to continue to disseminate widely, and in particular to women's and human rights organizations, the Convention and its Optional Protocol, the general recommendations of the Committee, the Beijing Declaration and Platform for Action and the results of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century".

Uzbekistan

147. The Committee considered the initial report of Uzbekistan (CEDAW/C/UZB/1) at its 500th, 501st and 507th meetings, on 25 and 30 January 2001 (see CEDAW/C/SR.500, 501 and 507).

(a) Introduction by the State party

148. In introducing the report, the representative of Uzbekistan highlighted the recent political, social and legal developments in Uzbekistan, noting that the advancement of women was among the highest priorities of the Government and the President. He indicated that the ratification of the Convention in 1995 without reservations, as well as the ratification of other international human rights instruments, were an expression of the country's commitment to the advancement of women and to achieving the goal of gender equality. He emphasized that the Government of Uzbekistan was also seriously considering signing and ratifying the Optional Protocol.

149. The representative said that the Constitution did not contain a reference to "discrimination against women". However, the principle of equality between men and women was the foundation of the Constitution of the Republic of Uzbekistan, adopted in 1992.

150. The representative said that the Government had identified six main directions of work for the advancement of women. The first direction was the creation of a gender-sensitive system of laws and regulations to ensure the conditions necessary for the participation of women in the political, social, economic and cultural life of the country. The Government had published a compilation survey that included about 70 laws and regulations directly addressing the situation of women.

151. The second task was the establishment of national mechanisms for the advancement of women. The Parliament Committee on Social and Employment Issues and the Special Commission on the Issues of Women and Family were entrusted with the responsibility of elaborating new legislation protecting the interests of women in various areas as well as conducting a gender assessment of the existing rules and regulations. Both the Committee and the Commission monitor the implementation of State policies and programmes aimed at improving the status of women in society and at implementation of the Convention. The representative informed the Committee that a new position of Vice-Prime Minister, Minister for the issues of social protection of the family, motherhood and childhood, had been established. The respective positions had been established at the local levels.

152. The representative informed the Committee of the establishment of a wide network of national human rights institutions, including the Office of the Ombudsman, the Institute for Monitoring Enforced Legislation and the National Human Rights Centre. To develop policies and programmes to improve the situation of women, in 1999-2000 governmental and

non-governmental human rights institutions had conducted a review and analysis of existing laws, focusing on those articles that directly provided for the legal protection of women and ensured their interests in a wide variety of areas.

153. The representative informed the Committee of the considerable increase in the number of non-governmental organizations dealing with women's issues. At the beginning of 2001 there were more than 100 such organizations. Cooperation between governmental bodies and non-governmental organizations in the development of policies and programmes for women was increasing, and Uzbekistan had benefited from cooperation with and technical assistance from international organizations, especially the United Nations Development Fund for Women and the United Nations Development Programme (UNDP). With the help of UNDP, the Committee of Uzbek Women had organized in 1997 the Gender in Development Bureau to develop and implement programmes aimed at the economic empowerment of women in the process of transition to a market economy. National women's non-governmental organizations had established close contacts with similar organizations in other countries. Together with an American organization they had established a network of information centres on women's issues.

154. The representative informed the Committee that, in accordance with the recommendations of the United Nations Decade on Human Rights Education, the Government had developed a national programme of action in the area of human rights, including the human rights of women. Within the framework of the programme of action, special courses on human rights had been introduced in schools and universities. In addition, following the recommendations of the Beijing Platform for Action, 36,000 seminars with 1.5 million women participating had been organized to address various issues of women's advancement and gender equality.

155. The representative emphasized women's educational achievements, stating that women constituted 37 per cent of students in higher education. Almost 50 per cent of economically active women were employed in the national economy. The majority of working women were employed in industry (48 per cent), agriculture (40 per cent), health and social security (70 per cent), education and science (47-60 per cent) and trade, public catering and social services (50-52 per cent). According to estimates, in 2000 about 70 per cent of women were employed in the private sector.

156. The changes currently taking place in the economy had negatively affected the situation of women in the labour market, especially increasing unemployment among them. To decrease the level of unemployment, the Government had been creating 280,000 to 300,000 new jobs annually, 40 per cent of which were given to women. The Government, together with business organizations, was also promoting the development of entrepreneurship among women. Out of 64,000 entrepreneurs 20,000 were women.

157. The representative informed the Committee that the Government and the President were paying serious attention to the health of the population, in particular that of women and children. Taking into account the high birth rate in the country, the Government had developed a series of State programmes to improve the reproductive health of women and to decrease maternal and child mortality.

158. In closing, the representative informed the Committee that his Government fully understood that much more needed to be done in order to achieve equality between women and men. He emphasized the Government's full commitment to continuing its work in that regard and to overcoming obstacles that the women of Uzbekistan still encountered.

(b) Concluding comments of the Committee

159. The Committee expresses its appreciation to the Government of Uzbekistan for the submission of its initial report. It commends the Government on its informative oral presentation, in which it updated the developments in the country since the submission of the report in early 2000, as it provided new information and further clarified the current status of implementation of the Convention. The Committee notes with appreciation that the report contains statistical data disaggregated by sex.

160. The Committee commends the Government of Uzbekistan for sending the delegation which established a frank and constructive dialogue with the members of the Committee. The Committee welcomes the political will and the efforts of the Government of Uzbekistan to implement the recommendations of the

Beijing Platform for Action and articles of the Convention.

161. The Committee welcomes the fact that Uzbekistan ratified the Convention without reservations and is considering signing its Optional Protocol.

Positive aspects

162. The Committee commends the Government for its political will to implement the Convention. It notes with appreciation the development of national mechanisms for monitoring the protection of human rights, including the human rights of women. It welcomes the efforts of the Government to establish a national machinery for the advancement of women and to conduct a review of legislation, especially those laws that directly address the status of women in various areas. The Committee welcomes the establishment of the Office of the Ombudsman within the Parliament.

163. The Committee commends the Government for its efforts to maintain a high level of education and for its employment policies towards women. The Committee notes with appreciation the measures of the Government to promote women entrepreneurs.

164. The Committee welcomes the partnership of governmental agencies with women's non-governmental organizations in the promotion of women's human rights and welcomes the emergence of women's non-governmental organizations.

Factors and difficulties affecting the implementation of the Convention

165. The Committee considers that the negative effects of the ongoing economic and political transformation as well as the ecological degradation in the country are major impediments to the full implementation of the Convention.

Principal areas of concern and recommendations

166. The Committee expresses its concern that although the Constitution and the domestic laws provide for the equality of all citizens, they do not contain a definition of discrimination against women modelled on article 1 of the Convention, which prohibits both direct and indirect discrimination. The Committee also expresses its concern about the status of the Convention, and whether its provisions can be directly invoked before the courts.

167. The Committee calls upon the Government to include the definition of discrimination against women in article 1 of the Convention in its Constitution and national legislation. It also recommends that the Government draft a comprehensive law on equal opportunities for women and men, including provisions to allow temporary special measures in accordance with article 4, paragraph 1 of the Convention. It requests the Government to provide in its next report relevant information on this law, as well as about remedies available to women for redress for violations of their rights protected under the Constitution and the Convention.

168. The Committee expresses its concern that there is a very strong prevalence and significant resurgence of patriarchal attitudes and behaviour. Such traditional attitudes towards women are reflected in the lack of sharing of responsibility by men for household and family duties. The Committee also expresses concern about the lack of targeted educational programmes, revision of curricula and textbooks, and mass media campaigns to eliminate those stereotypes.

169. The Committee recommends that the Government take urgent measures to overcome traditional stereotypes regarding the role of women and men in the society. The Committee emphasizes that gender equality policy in compliance with the Convention will require the reconceptualization of the role of women in society from that of mother and wife, exclusively responsible for children and the family, to that of individual person and actor in society. It recommends increasing the number of women in decision-making bodies at all levels and in all areas. It also recommends that the Government strengthen its efforts to organize special training programmes for women and to conduct on a regular basis awareness-raising campaigns in this regard.

170. The Committee is concerned about the low representation of women in decision-making bodies, because of a number of factors, including traditional sex roles.

171. The Committee recommends that the Government utilize temporary special measures according to article 4, paragraph 1, of the Convention, in order to increase the number of women in decision-making levels in

government, governmental bodies, public administration and State-owned enterprises.

172. The Committee notes with concern the fact that the Government has not made sufficient effort to ensure de jure equality between women and men and regards such efforts as particularly urgent in view of the increasing de facto inequality in the society.

173. The Committee recommends that the Government take a comprehensive and holistic approach to promoting equality between women and men in all areas, including the economic, social, political, cultural and family domains. It also recommends a shift from a welfare approach towards a human rights approach, whereby women are claimants of their rights.

174. The Committee expresses its concern that the existing national mechanism for the advancement of women does not have sufficient strength and visibility as well as funding to promote effectively the advancement of women and gender equality. The Committee also expresses its concern about the lack of an overall, integrated policy of gender mainstreaming.

175. The Committee recommends that the Government restructure the existing national machinery in order to give it more visibility and strength, as well as review its mandate to carry out effectively the mainstreaming of a gender perspective into all policies and programmes and to promote the advancement of women. It also recommends that the Government assess the capacity of the national machinery and provide it with the necessary human and financial resources, and that it strengthen the existing governmental national mechanisms for women at all levels. It urges the Government to consider fostering more effective coordination among the existing mechanisms for women's issues and gender equality and to ensure that they have sufficient financial and human resources.

176. The Committee expresses its concern about the prevalence of all forms of violence against women, including domestic violence.

177. The Committee requests the Government to pass a law against violence, especially against domestic violence, including marital rape, as soon as possible and to ensure that violence against women and girls constitutes a crime punishable under criminal law and that women and girls victims of violence have immediate means of redress and protection. It recommends that the Government organize training on gender issues for all public officials, in particular law enforcement officials and the judiciary, as well as for members of khokims' offices at all levels and the local mahalas, to educate them about all forms of violence against women and girls in accordance with general recommendation 19 of the Committee on Violence against Women. The Committee also recommends that the Government organize awareness-raising campaigns to address all forms of violence against women and girls, including domestic violence.

178. The Committee recognizes the efforts made by the Government to address the issue of trafficking in women and girls, which has increased in the region following the opening of the borders. It notes with concern that there is still not enough information on the subject nor a comprehensive policy to address the problem.

179. The Committee urges the Government to include in its next report more information and data on the situation of trafficking in women and girls and on progress made in that area. The Committee considers that comprehensive measures should be developed and introduced in order to address the problem effectively, including the dimension of prevention, reintegration and prosecution of those responsible for trafficking.

180. The Committee, while noting with appreciation the high level of education among women, expresses its concern about the recent decline in the total number of women students.

181. The Committee urges the Government to take urgent measures to prevent the decline of women in higher education. The Committee recommends raising awareness and providing incentives to encourage young women to enter male-dominated fields of study.

182. The Committee recognizes the efforts of the Government to keep women in the labour market, but it notes with concern the existing occupational segregation in the labour market and the considerable wage differential between men and women, especially the gap between female- and male-dominated sectors of employment. It is also seriously concerned about the high level of unemployment. It is also concerned at indirect discrimination in the recruitment, promotion and dismissal of women. The Committee notes the absence of statistical data on wages disaggregated by sex.

183. The Committee urges the Government to ensure equal opportunities for women and men in the labour market, including through the use of temporary special measures. It recommends that the Government conduct regular reviews of legislation with a view to reducing the barriers for women in the labour market. It also recommends that the Government design and implement special training and retraining programmes for different groups of unemployed women.

184. The Committee urges the Government to address the problem of occupational segregation and to start implementing the principle of equal pay for work of equal value. It requests the Government to collect data disaggregated by sex and economic sector and provide them in the next report.

185. The Committee, while noting a decline in the maternal mortality rate, expresses its concern with the status of women's health, especially their reproductive health, and the high birth rate. It also expresses its concern that abortion remains a primary means of birth control, and its concern about the increase in the use of tobacco by women. The Committee expresses its concern about the degree of environmental degradation in the country and its extremely negative impact on the health of the whole population, in particular women and children.

186. The Committee urges the Government to maintain free access to basic health care and to improve its family planning and reproductive health policy, including the availability and accessibility of modern contraceptive means. It encourages the Government to promote sex education during the compulsory school years. The Committee urges the Government to design and implement a sound environmental policy aimed at protecting the health of women and children.

187. The Committee expresses its concern about the high rates of suicide among women. It is also concerned at the cases of polygamy.

188. The Committee recommends that the Government establish structures aimed at addressing mental health problems faced by women. It also recommends undertaking measures to eliminate polygamy and early marriage.

189. The Committee expresses its concern about the situation of rural women, who comprise 60 per cent of all women in Uzbekistan, including their access to health-care services, education and income-generating activities.

190. The Committee recommends that the Government pay attention to the specific situation of rural women and develop special strategies, policies and programmes aimed at the economic empowerment of rural women, ensuring their access to capital and productive resources, as well as to health care services and educational and social opportunities. It calls for more qualitative and quantitative data on this subject to be presented in the next report.

191. The Committee urges the Government to approve the amendment to article 20, paragraph 1, of the Convention concerning the meeting time of the Committee.

192. The Committee also urges the Government to ratify the Optional Protocol to the Convention.

193. The Committee requests the Government to respond in its next periodic report to the specific issues raised in the present concluding comments.

194. The Committee requests the wide dissemination in Uzbekistan of the present concluding comments in order to make the people of Uzbekistan, particularly government administrators and politicians, aware of the steps that have been taken to ensure the de jure and de facto equality of men and women and the future steps that are required in that regard.

2. Combined second, third and fourth periodic reports of States parties

Jamaica

195. The Committee considered the combined second, third and fourth periodic report of Jamaica (CEDAW/C/JAM/2-4) at its 502nd and 503rd meetings, on 26 January 2001 (see CEDAW/C/SR.502 and 503).

(a) Introduction by the State party

196. In introducing the report, the representative of Jamaica informed the Committee of some of the legal, political, social and economic challenges facing her country in the implementation of the Convention. National and global developments were far-ranging, and the situation of women had been influenced in different ways by the many contemporary realities that faced the population as a whole.

197. The representative recognized the importance of national legislation and the protection of women's rights, and noted that with regard to the implementation of those rights, her country's legal system operated against a background of traditional attitudes to women. To overcome existing stereotypes, redress imbalances and inequalities and ensure harmonization of laws with international norms and standards, a comprehensive legislative review of laws affecting women and children had been commissioned.

198. Despite the fact that many women had high academic qualifications, they remained largely under-represented in positions of influence, power and decision-making. Although some women held important senior positions in Government, equitable representation of women in politics had yet to be achieved. Similarly, women tended to be under-represented in decision-making positions in the private sector. The representative indicated that education was the primary tool for reversing stereotypical attitudes to gender roles and that there had been an improvement in the retention rates of women, particularly at the tertiary level. However, women still encountered difficulties in finding employment commensurate with their level of qualifications.

199. The representative described her Government's programmes to address poverty, violence against women, prostitution and the spread of HIV/AIDS, pointing out particular progress in the areas of education and health. However, all those efforts were affected by structural adjustment policies, globalization and a growing debt burden. She contended that, to implement new policies, the Government needed support of civil society, and she noted that an increased number of non-governmental organizations, including the National Women's Political Caucus, participated in public life.

200. Noting that poverty continued to affect all aspects of women's lives, the representative stated that poverty eradication programmes were a national priority. Several programmes on rural, inner-city women and domestic workers, whom the representative described as the most marginalized in the economy, had been initiated by the Bureau of Women's Affairs. The Government was seeking to ensure the wider integration of women in the tourism field, although the negative aspects associated with that sector, such as sex tourism, prostitution and sexual exploitation of young girls, would be monitored.

201. Within the health sector, there had been a significant reduction in the rates of maternal and infant mortality and the implementation of policies designed for cancer prevention. Prevention of sexually transmitted diseases had been integrated into family planning services, and a help line had been instituted to provide counselling and support. The representative noted that despite the significant achievements in the area of women's health, HIV/AIDS had become an issue requiring urgent national attention. Women were contracting the virus at a faster rate than men, and young people were in the age group that seemed to be at highest risk.

202. The representative explained that achievements had been made in addressing the issues of domestic violence and other forms of gender-based violence. She noted that statistics indicated a close relationship between the incidence of murder and domestic violence. Many institutional measures had been implemented to counteract domestic and other forms of gender-based violence, including sexual abuse and incest, and the Government had granted financial subventions to non-governmental organizations providing services in that area. Public education and awareness-raising were seen as vital tools in combating violence, and several of the existing laws and acts that targeted gender-based violence were being reviewed. That legislation included the Domestic Violence Act; the Offences Against the Persons Act; and the Incest Punishment Act. Additionally, a sexual harassment bill was under consideration.

203. In conclusion, the representative informed the Committee that developments in the country continued to be affected by structural adjustment programmes, globalization and the increasing debt burden. The goals of justice and equity faced challenges because of joblessness, lack of growth and the feminization of poverty. It was a priority for the Government to target the most marginalized and poorest in the society, especially women and children, to give them autonomy and choice. She noted that Jamaica was in a transitional period and was searching for new strategies to overcome current challenges. She reaffirmed her Government's commitment to live up to its obligations under the Convention and emphasized its intention to ratify the Optional Protocol.

(b) Concluding comments of the Committee

204. The Committee commends the Government of Jamaica on its combined second, third and fourth periodic report which is in accordance with the Committee's guidelines for the preparation of periodic reports. It also commends the Government for the comprehensive written replies to the questions of the Committee's pre-session working group and the oral presentation of the delegation, which sought to clarify the current situation of women in Jamaica and provided additional information on the implementation of the Convention.

205. The Committee appreciates the open dialogue that took place between the delegation and the members of the Committee.

Positive aspects

206. The Committee compliments the Government of Jamaica on its work with the United Nations and regional and subregional organizations in defining national and international plans of action on women. It also welcomes Jamaica's consistent political will in national and regional implementation programmes to strengthen action plans to improve the status of women.

207. The Committee commends the Government for its expressed political will to implement the Convention. It welcomes the Government's efforts to review and amend its legislation to comply with its obligations under the Convention.

208. The Committee congratulates the Government on its intention to sign and ratify, as soon as possible, the Optional Protocol to the Convention.

209. The Committee expresses its appreciation for the withdrawal of the reservation to article 9, paragraph 2, of the Convention, which the Government had made upon ratification.

Factors and difficulties affecting the implementation of the Convention

210. The Committee notes that the entrenched stereotypical attitudes with regard to the role of women and men and the persistence of gender-based violence within the society constitute obstacles to the full implementation of the Convention.

Principal areas of concern and recommendation

211. The Committee expresses its concern at the slowness of legal reform relating to anti-discriminatory legislation. The Committee also expresses its concern that, although the Constitution provides for the equality of all citizens, there are no constitutional remedies available to women.

212. The Committee recommends that the Constitution be amended to allow women to have access to constitutional remedies of redress. The Committee urges the Government to make the necessary legislative reforms to the Constitution in order to create an appropriate legal framework to ensure that the law is consistent with the provisions of the Convention. The Committee urges the Government to reform existing legislation and to create new legislation to protect the equal rights of women and men in regard to labour, social, family and property.

213. The Committee expresses its concern that Jamaica's passport law provides that a married woman may keep her maiden name on her passport only if she insists or for professional reasons and that in those cases, a note would be entered in her passport with the name of her husband and the fact of her marriage.

214. The Committee calls upon the Government to bring the passport law into line with article 16 (g) of the Convention.

215. The Committee expresses its concern that the Maternity Leave with Pay Act of 1979 does not cover domestic workers. It is also concerned with the disparity of eligibility and benefits to domestic workers under the National Insurance Scheme and other female workers covered under the Maternity Leave with Pay Act.

216. The Committee calls upon the State party to revise the Maternity Leave with Pay Act 1979 to ensure that, in accordance with international standards, all mothers receive leave with pay. It also calls upon the State party to review the Maternity Leave with Pay Act and the National Insurance Scheme with a view to removing any disparity between the eligibility of domestic workers and other female workers to benefits.

217. The Committee expresses its concern that stereotypical attitudes and behavioural patterns about the roles of women and men in the family and in society persist.

218. The Committee urges the Government to implement awareness-raising campaigns to change stereotypical and discriminatory attitudes concerning the roles of women and girls.

219. The Committee expresses its concern that the Government lacks a clear understanding of the full range of temporary special measures, according to article 4, paragraph 1, of the Convention.

220. The Committee urges the Government to implement the full range of temporary special measures to increase the number of women in decision-making at all levels, as well as in the public and private sectors. It recommends that the Government sensitize the social partners about the importance of these measures.

221. The Committee expresses its concern that the current system of monitoring gender impact through focal points is not effective and the necessary structure is not in place.

222. The Committee urges the Government to introduce gender mainstreaming measures in all government ministries, institutions and departments, and notes that the responsibility should not fall exclusively under the purview of the Bureau of Women's Affairs. The Committee recommends that the Bureau of Women's Affairs should have the role of monitoring gender mainstreaming in all government activities. The Committee requests that further information on the gender monitoring checklist be provided in the next report.

223. The Committee expresses its concern about the high rate of teenage pregnancies.

224. The Committee calls upon the State party to improve its family planning and reproductive health policy and programmes, including availability and accessibility to affordable modern contraceptive means for both women and men. It encourages the Government to promote education programmes on reproductive rights and responsible sexual behaviour for both women and men, particularly young people.

225. The Committee expresses its concern about the persistence of gender-based violence and domestic violence, including marital rape. The Committee also expresses its concern about the high incidence of incest and rape, and the lack of a holistic Government strategy to identify and eradicate gender-based violence.

226. The Committee urges the Government to place a high priority on measures to address violence against women in the family and in society in accordance with general recommendation 19 and the Declaration on the Elimination of Violence against Women. The Committee recommends that the Government raise public awareness about violence against women and urges the Government to strengthen its activities and programmes to focus on sexual violence, sexual crimes, incest and prostitution, especially prostitution associated with tourism. The Committee urges the Government to ratify the Inter-American Convention for the Prevention, Punishment and Eradication of Violence against Women in order to strengthen the Government's programmes in that area.

227. The Committee is concerned at the high incidence of poverty among various groups of women, in particular in households headed by females. The Committee recognizes that those households have been negatively affected by structural adjustment programmes and the changing global situation.

228. The Committee requests the Government to provide additional information on programmes and projects implemented to combat the negative impact of structural adjustment programme on women and to ensure that the Government's policies to eradicate poverty are continuous and do not further marginalize women.

229. The Committee expresses its concern about the working conditions of female labourers in the free-trade zone areas.

230. The Committee urges the Government to enact legislation to protect the labour rights of workers in the free-trade zone areas.

231. The Committee also urges the Government to sign and ratify the Optional Protocol to the Convention. It further urges the Government to deposit its instrument of acceptance of the amendment to article 20, paragraph 1, of the Convention on the Committee's meeting time.

232. The Committee requests that the Government provide in its next report more detailed data, statistics and information about all aspects of women in Jamaica and respond to the concerns expressed in the present concluding comments in its next periodic report, under article 18 of the Convention.

233. The Committee requests the wide dissemination in Jamaica of the present concluding comments in order to make the people of Jamaica, and particularly the Government's administrators and politicians, aware of the steps that have been taken to ensure the de jure and de facto equality of women and the future steps that are required to those ends. It also requests the Government to continue to disseminate widely — in particular to women's and human rights organizations — the Convention and its Optional Protocol, the Committee's general recommendations, the Beijing Declaration and Platform for Action, and the results of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century".

3. Combined third and fourth periodic reports of States parties

Mongolia

234. The Committee considered the combined third and fourth periodic report of Mongolia (CEDAW/C/MNG/3-4) at its 504th and 505th meetings, on 29 January 2001 (see CEDAW/C/SR.504 and 505).

(a) Introduction by the State party

235. In introducing the report, the representative of Mongolia informed the Committee that Mongolia had been one of the first countries to ratify the Convention on the Elimination of Discrimination against Women in 1981. She also informed the Committee that in 1998, the Parliament of Mongolia had accepted the amendment to article 20, paragraph 1, of the Convention. Mongolia had signed the Optional Protocol to the Convention in September 2000, and the procedures towards ratification were under way in Parliament.

236. The representative emphasized that during the 10 years since the submission of its second report, Mongolia had seen radical changes in its political, economic and social life. Mongolia had become a country with a parliamentary Government and a multi-party system. Mongolia had become party to 30 international human rights treaties and had adopted relevant policies and enacted or amended legislation in accordance with its treaty obligations.

237. The representative informed the Committee that the Mongolian Constitution prohibited discrimination on the basis of sex. The rights of women to education, employment, as well as to participate in politics, were also protected by the Constitution and other legislation.

238. Reporting on actions taken pursuant to the Convention, the representative informed the Committee that legislation had been amended and new legislation introduced in order to integrate the basic tenets of the Convention into the legislative framework and government policies and programmes. National programmes had been implemented to address the special needs of rural women, and initiatives to introduce advanced technology and create more job opportunities had been put in place.

239. The representative highlighted the Health Law, which had come into force in 1998, and the new Labour Code, which contained specific provisions prohibiting discrimination in the workplace. The Family Law had come into force in 1999 and provided for women's equal rights to inheritance, land use and ownership of livestock and other property. The representative said that the State Great Hural (Parliament) had recently adopted the Law on the National Human Rights Commission, and that, in collaboration with international organizations, the Government had launched a process of a nationwide discussion to develop a national programme on human rights.

240. The representative informed the Committee of some of the achievements in implementing the Convention in Mongolia. These included the creation of an appropriate legal environment, an increase of the participation of non-governmental organizations, the development and implementation of gender policies and the high level of education among women. Factors that had hindered the full implementation of the Convention included the lack of a specific national machinery, the high maternal mortality rate, the low participation of women in political decision-making, the discrepancies between different geographic areas and social groups, the rise in domestic violence against women and the lack of legal literacy among women.

241. The representative concluded by reporting on Mongolia's strategies for future implementation of the Convention. These were the improvement of the national coordination and integrating mechanism, the establishment of an integrated database, ongoing

analysis of existing laws, a comprehensive review of the rural sector and the strengthening of cooperation between government and non-governmental organizations to promote the legal literacy of women.

(b) Concluding comments of the Committee

Introduction

242. The Committee expresses its satisfaction at the submission of the combined third and fourth periodic report of Mongolia and the answers to the questions of the pre-session working group. It welcomes the oral updating statement, in particular the various strategies envisaged for the future implementation of the Convention.

Positive aspects

243. The Committee commends the Government for ratifying the amendment to article 20, paragraph 1, of the Convention and taking steps to ratify the Optional Protocol.

244. The Committee notes that some legislative reforms regarding women have been undertaken, inter alia, provisions prohibiting discrimination in the workplace and prohibitions that allow for women's equal rights to inheritance, land use and ownership of livestock and other property. It also notes the Government's recognition of women's non-governmental organizations.

245. The Committee commends the progress made in providing women with access to education and the achievement of high levels of participation at the tertiary level.

246. The Committee welcomes the efforts to undertake a situation analysis of women in Mongolia and to develop a national programme of action for the advancement of women, with technical support from international organizations.

Factors and difficulties affecting the implementation of the Convention

247. The Committee notes that the persistence of stereotypical and patriarchal attitudes to the role of women in the family and the community prevents the enjoyment by women of human rights and denies them the opportunity to participate fully in national development.

248. The Committee considers that the negative effects of the country's ongoing transition to a market economy are major impediments to the full implementation of the Convention.

Principal areas of concern and recommendations

249. The Committee notes with deep concern the deteriorating situation of women in Mongolia in a period of economic transformation. It expresses its particular concern that the Government has failed to prevent the erosion of women's rights to economic advancement, health, education, political participation and personal security.

250. The Committee urges the Government to protect and promote women's human rights and to utilize the development and technical resources available as well as the human resources of the country, including civil society and women's groups, so as to reverse this trend.

251. The Committee is concerned that poverty is widespread among women as a consequence of privatization and other factors linked to the transition to a market economy.

252. The Committee calls upon the Government to collect data and information on women living in poverty, disaggregated by age and according to urban and rural areas; to develop targeted policies and support services; to make efforts to prevent more women from falling below the poverty line; and in particular to address the situation of households headed by women.

253. The Committee expresses its concern that, although the Constitution provides for the equality of all citizens before the law, it does not reflect the definition of discrimination in article 1 of the Convention, which prohibits both direct and indirect discrimination. It also expresses its concern that there are no remedies available to women to redress violations of their rights.

254. The Committee calls upon the Government to undertake legal reforms so as to ensure that the full meaning of article 1 of the Convention is reflected in the country's Constitution and legislation, and that constitutional rights are enforceable.

255. The Committee notes that a series of laws have been enacted but have not been analysed for their potentially discriminatory impact on women. It

expresses its concern that laws are not effectively enforced so as to protect women's human rights.

256. The Committee calls upon the Government to review and reform all gender discriminatory laws, in consultation with professional and women's groups. It urges the Government to strengthen law enforcement and to provide effective remedies through the courts. The Committee requests the Government to develop legal literacy programmes for the community and gender-sensitization programmes for judges and law enforcement officials.

257. The Committee notes with concern that Mongolia has not yet specifically developed gender-sensitization and legal literacy programmes for its large youth population.

258. The Committee calls upon the Government to extend its distance education programmes for the youth population to include gender education programmes as soon as possible. The Committee considers that the youth population can be an important resource in changing stereotypical and patriarchal attitudes in society.

259. The Committee expresses its concern that the high achievement levels of women in education are not reflected in their participation in legislative national and local government bodies, and in decision-making posts in administration.

260. The Committee urges the Government to introduce temporary special measures, in conformity with the Convention, and public awareness and human rights education programmes that will create a supportive environment for women's greater participation in public life.

261. The Committee expresses its deep concern that the phenomenon of violence against women, has not been adequately addressed in laws, policies and programmes. It expresses particular concern at the long delay in enacting the proposed legislation on domestic violence.

262. The Committee urges the Government to enact the proposed domestic violence law, including marital rape provisions, to strengthen law enforcement and to develop a holistic range of initiatives to respond to violence against women in the light of general recommendation 19 and the Declaration on the Elimination of Violence against Women.

263. The Committee notes that a range of institutions and agencies deal with gender issues in an ad hoc manner and do not coordinate their work. The Committee expresses its concern that although the Government has recognized the weakness of the national machinery it has not provided information on new initiatives to address this problem.

264. The Committee urges the Government to establish strong and effective national machinery so that the Convention and the Beijing Platform for Action can be integrated into development plans. It considers that gender mainstreaming must be effectively coordinated and monitored. The Committee recommends that gender concerns be integrated into the work of the Commission on Human Rights and that women be appointed as members of this body.

265. The Committee expresses its concern that limited steps have been taken to combat prostitution and trafficking in women.

266. The Committee urges the Government to take steps to prosecute persons engaged in organizing prostitution and to adopt effective measures to combat trafficking in women.

267. The Committee expresses its deep concern at the negative impact of privatization on women's access to adequate health care and education.

268. The Committee calls upon the Government to ensure that these services are not reduced, and that, in particular, the areas of health and education do not suffer as a result of privatization.

269. The Committee expresses its concern that Mongolia places the responsibility of family and childcare exclusively on women particularly as the population policy encourages women to have large families. It notes that this situation encourages their marginalization in the economy and exacerbates poverty.

270. The Committee urges the Government to develop laws, policies and educational programmes that support and promote the idea of joint parental responsibility and prevent discrimination against women because of their family responsibilities.

271. The Committee expresses its concern about the high level of unemployment of women.

272. The Committee urges the Government to establish a legislative basis that ensures women equal

access to the labour market and equal opportunities to work and prevents direct and indirect discrimination in employment. It calls upon the Government to implement unemployment policies aimed at reducing the unemployment of women.

273. The Committee expresses its concern with regard to women's health throughout their life cycle. The Committee also expresses its concern that economic hardship impacts negatively on women's reproductive and mental health. In particular, the Committee notes with concern the acute problem of maternal mortality, owing in part to abortions performed under unsafe conditions and the non-availability of family planning services.

274. The Committee urges the Government to maintain adequate safe, affordable and accessible physical and mental health services for women throughout their life cycle. It also urges the Government to increase access, particularly in the rural areas, to affordable contraceptives for women and men, and to provide sex education to girls and boys.

275. The Committee expresses its concern that much of the information provided in the oral and written responses was not related to the current situation of women in Mongolia.

276. The Committee requests that the Government provide pertinent information on the situation of women in its next report as well as information on the other concerns raised in the present concluding comments.

277. The Committee encourages the Government to ratify the Optional Protocol to the Convention.

278. The Committee requests the wide dissemination in Mongolia of the current concluding comments in order to make the people, in particular government administrators and politicians, aware of the steps that have been taken to ensure the de jure and de facto equality of women, as well as of further steps that are required in this regard. It also requests the Government to continue to disseminate widely, in particular to women's and human rights organizations, the Convention, its Optional Protocol, the Committee's general recommendations and the Beijing Declaration and Platform for Action, as well as the results of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century".

4. Third and fourth periodic reports of States parties

Finland

279. The Committee considered the third and fourth periodic reports of Finland (CEDAW/C/FIN/3 and 4) at its 494th and 495th meetings, on 22 January 2001 (see CEDAW/C/SR.494 and 495).

(a) Introduction by the State party

280. In introducing the third and fourth periodic reports, the representative of Finland expressed her appreciation to Finnish non-governmental organizations for their contributions to the preparation of the reports, and expressed the Government's commitment to open dialogue with non-governmental organizations. She informed the Committee that the Finland of today represented a modern and equality-based gender model, and emphasized the significant impact of the Convention on the development of national legislation and measures to promote the status of women. Finland was committed to strengthening the Convention and accordingly had signed its Optional Protocol on 10 December 1999, the date it had been opened for signature, and had ratified it in December 2000.

281. The representative indicated that Finland had been the first country in the world to give women full political rights, that is, the first country that gave simultaneously both the right to stand for elections and the right for all women to vote. Women were currently represented at all levels of political life, with 37 per cent of members of Parliament and 34 per cent of counsellors being women while, for the first time, a woman had been elected President. Thanks to a legislative provision requiring a minimum quota of 40 per cent of both men and women in governmental and municipal bodies, the participation of women had dramatically increased in appointed bodies, especially at the local level.

282. The representative informed the Committee that the economic independence of women was one of the cornerstones of the Nordic idea of equality, and that the participation of women in the labour market was almost as high as that of men, with women being highly educated and generally employed. Women constituted the majority of top professionals in some areas, such as the media and biotechnology, and there

were a large number of female university professors. However, gender segregation persisted in other areas of employment, with only 16 per cent of the labour force working in occupations where there was a balanced participation of women and men, and few women occupying higher level public sector posts. Finland had launched a wide-scale strategic project in order to address gender segregation in employment.

283. The representative informed the Committee that the removal of pay inequality was one of the challenges facing the Government, because although preconditions for equality in working life existed, women's wages remained 81 to 85 per cent of those of men. The wage gap had resulted from sex-based job segregation in the labour market, the larger amount of paid overtime work carried out by men and women's greater use of non-paid leave, which had led to a reduction in employment seniority. The representative said that gender wage differentials had narrowed during the 1990s, including as a result of the development and implementation of job-evaluation systems that establish wages in an objective and gender-sensitive manner.

284. The representative noted that the economic recession of the early 1990s had proved the vital importance of the Nordic welfare system by providing a safety net and ensuring basic protection and services for citizens. The adequate and comprehensive social security system had maintained society's internal cohesion during the difficult employment situation.

285. Turning to violence against women, which was described as a very serious problem in the field of human rights, the representative drew attention to steps taken by Finland at both the national and international levels to address that issue. Pursuant to the Beijing Platform for Action, Finland had addressed violence against women through a project for the prevention of violence against women, a multi-media "zero tolerance" campaign and various studies, including an extensive survey on the victims of violence against women, a study on the costs of violence against women in Finland and a survey on the violence experienced by immigrant women. Several legislative measures to address violence against women had been introduced. They had included the introduction of the Act on Restraining Orders, which entered into force in 1999, and the 1997 Criminal Procedure Act, which provided victims of sexual and domestic violence offences with the right to a legal assistant or support person free of charge during the pre-trial investigation and trial stage. An extension to the scope of the Act on Restraining orders had been proposed under which a family member acting violently towards his or her family members could be evicted from the family home. Steps had also been taken to address trafficking in women and prostitution. A project for the prevention of prostitution had been initiated and the buying of sexual services from persons under 18 years of age had been criminalized. An amendment to the Penal Code allowed for the prosecution of Finnish citizens for sexual offences even when committed abroad, and in December 2000 Finland had signed the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. An interesting example of the positive change of atmosphere was that the oldest and largest evening paper in Finland had decided not to publish advertisements for sex phone lines.

286. The representative informed the Committee that the number of immigrants was growing rapidly and that the Act on the Integration of Immigrants had entered into force in 1999. The Act harmonized measures taken by authorities and strengthened their mutual cooperation at all levels, including the local level, and aimed to improve and accelerate the integration and employment of immigrants.

287. The representative underlined that the achievement of equality between women and men called for men to participate in the promotion of equality, and that the Government of Finland aimed to provide parents with more opportunities to share parental leave. In that regard, she noted that, in 2000, the Prime Minister of Finland had taken parental leave.

288. In concluding her presentation, the representative of Finland emphasized that mainstreaming a gender perspective in all policies and programmes, a philosophy that underpinned the Beijing Platform for Action, was vital for the achievement of gender equality. She indicated that the tools that had been developed to measure equality, including comparative statistics, indicators and benchmarking, were critical, as they provided new opportunities to choose the right policy tools and make the right political commitments. She noted that the Finnish Act on Equality between Men and Women had been in force for slightly more than 13 years and that its impact was currently being assessed and proposals for its amendment were being made. It was hoped that those proposals, which included the extension of provisions on expanding the

notion of sexual harassment to encompass educational institutions, would result in legislation that would prevent discrimination on the basis of sex and provide stronger remedies and protection to those who had suffered from its effects.

(b) Concluding comments of the Committee

Introduction

289. The Committee expresses its appreciation to the Government of Finland on its third and fourth periodic reports, which comply with the guidelines for the preparation of periodic reports. It commends the Government for involving non-governmental organizations in the preparation of the reports. The Committee also expresses its appreciation for the extensive information provided in response to the issues raised by the pre-session working group and in the oral presentation.

290. The Committee commends the Government of Finland for its large delegation, which enabled a constructive and frank dialogue with the members of the Committee.

Positive aspects

291. The Committee commends the Government of Finland for having been one of the first States Parties to the Convention to sign and ratify its Optional Protocol, and to accept the amendment to article 20, paragraph 1.

292. The Committee also commends the Government for placing objections to those reservations that are incompatible with the object and purpose of the Convention.

293. The Committee congratulates the Government of Finland for its important achievements in the promotion of equality between women and men.

294. The Committee commends the Government of Finland for the positive changes in the Finnish Constitution that entered into force on 1 March 2000, which, inter alia, provide that, in case of conflicting legislation, fundamental rights, including women's right to equality, shall prevail, and explicitly provide for temporary special measures.

295. The Committee also commends the Government for its ongoing efforts to combat violence against women, in particular domestic violence. It welcomes the Act on Restraining Orders, which entered into force in 1999.

Factors and difficulties affecting implementation of the Convention

296. The Committee notes that there are no significant factors or difficulties that prevent the effective implementation of the Convention in Finland.

Principal areas of concerns and recommendations

297. While acknowledging the efforts undertaken by the Government in solving the problem of discrimination faced by women in the workplace through the Equality Act, the Committee expresses its concern over continuing discrimination in employment. In particular, the Committee is concerned about the wage gap that exists between women and men owing primarily to the "horizontal" and "vertical" gender segregation of the labour market.

298. The Committee urges the Government to increase its efforts to eliminate stereotypes in women's education as well as biased perceptions in job evaluations and pay relating to traditional areas of employment for women. In particular, it recommends efforts to encourage cross-vocational training in typical female and male-dominated areas, and to address the issue of the negative impact on women of policies of time-fixed contracts. The Committee also urges the Government to increase incentives for men to use their rights to parental leave and to set up stronger monitoring mechanisms for the plans under the Equality Act.

299. The Committee expresses its concern about the low percentage of women in high-ranking posts in many areas, particularly in academia, where the presence of women has been declining as they move up the academic ladder and where they currently hold only 18.4 per cent of professorships. The Committee is concerned that the current system of hiring professors by invitation instead of open competition places women at a disadvantage.

300. The Committee urges the Government to make efforts to facilitate an increase in the number of women in high-ranking posts. It recommends the adoption of proactive measures to encourage more women to apply for high-ranking posts and to implement temporary special measures, such as quotas, where necessary. The

Committee also urges the mainstreaming of gender studies in all areas of education as a way to raise the awareness of students of all disciplines to gender issues. Such mainstreaming should be in addition to promotion of specific gender study and research programmes.

301. The Committee expresses its concern about the high incidence of violence against women in Finland. It notes that a recent survey conducted by Statistics Finland in cooperation with the Council for Equality revealed that 40 per cent of women had experienced physical or sexual violence or the threat thereof. The Committee also expresses its concern about the high level of sexual harassment in the workplace.

302. The Committee urges the Government to increase its efforts to implement effectively the current policies aimed at combating violence, to pay more attention to prevention efforts and to take steps to turn the "zero-tolerance" campaign into a legally binding State policy. The Committee also urges the Government to implement all necessary measures in order to empower individuals and non-governmental organizations to take action with regard to sexual harassment.

303. Notwithstanding the extensive measures already undertaken by the Government, the Committee expresses its concern at the increased incidence of trafficking in women and exploitation of prostitution of women.

304. The Committee urges the Government to intensify its efforts to increase cooperation between national and international authorities, particularly from the Russian Federation and the Baltic States, in order to encourage common action to prevent and combat trafficking and to use the Internet in order to disseminate information on the Government's actions against trafficking. The Committee also urges the Government to encourage a positive change of atmosphere regarding sex phone lines as they run counter to the efforts being made to portray women positively, and not as "sex objects", in the media.

305. The Committee expresses its concern at the continuing discrimination against immigrant and minority women living in Finland, particularly Roma and Sami women, who suffer from double discrimination, based on both their sex and ethnic background.

306. The Committee urges the Government to undertake studies on the participation of minority women in society and to take effective measures to eliminate discrimination against them and strengthen efforts to combat racism and xenophobia in Finland.

307. The Committee expresses its concern that the policy of decentralization may have a more negative impact on women than men.

308. The Committee recommends that the Government introduce a gender-impact analysis as well as gender-sensitive training in all its decentralization efforts, while strengthening the links between the central authority and the municipalities so that gains made through centrally administered programmes will not be lost during the transition to decentralization.

309. The Committee expresses its concern about the increase in smoking and in the use of drugs among young people, particularly girls, and urges the Government to intensify its efforts aimed at combating the use and supply of drugs and smoking.

310. The Committee requests the Government to respond to the specific issues raised in the present concluding comments in its next periodic report.

311. The Committee also requests the Government to disseminate widely in Finland the present concluding comments and to support their public discussion, in order to make politicians and government administrators, women's non-governmental organizations and the public at large aware of the steps required to ensure de jure and de facto equality for women. It further requests the Government to continue to disseminate widely, in particular to women's and human rights organizations, the Convention and its Optional Protocol, the Committee's general recommendations, the Beijing Declaration and Platform for Action and the results of the twenty-third special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century".

5. Third and combined fourth and fifth periodic reports of States parties

Egypt

312. The Committee considered the third report and the combined fourth and fifth periodic report of Egypt (CEDAW/C/EGY/3 and CEDAW/C/EGY/4-5) at its

492nd and 493rd meetings, on 19 January 2001 (see CEDAW/C/SR.492 and 493).

(a) Introduction by the State party

313. In introducing the reports, the representative of Egypt emphasized the improvement in favour of women in the legal, institutional and practical domains. In the legal domain many laws such as family laws, had been amended in favour of women. The National Council for Women had been created in February 2000 by Presidential decree as the first political institution focusing on the empowerment of women, monitoring of implementation of the Convention and laws and policies affecting women's lives. The Council reported directly to the President, and its 30 members have been selected from different disciplines and sectors, including the academic community and non-governmental organizations. The representative stressed the importance of collaboration between non-governmental organizations, and the Council, particularly with regard to the implementation of programmes aimed at the reduction of poverty resulting from privatization and structural adjustment programmes, particularly among female heads of households in both rural and urban poor areas.

314. The representative informed the Committee that, during the 2000 elections, the National Council for Women had supported the participation of women both as candidates and as voters. Women's awareness of the importance of political participation had consequently increased, and the number of female candidates had increased from 87 in 1995 to 120 in 2000, with 7 candidates being elected in 2000, compared with 5 in 1995.

315. The legislative committee of the National Council for Women had reviewed the current nationality law and recommended that it be amended to entitle Egyptian women married to foreigners the right to confer their nationality on their children. It had reviewed the draft labour law, recommending amendments to ensure that existing benefits, including maternity leave and leave to care for children, remained available for all working women, including those in the government, public and private sectors. In addition, the legislative committee was reviewing the draft law on passports, which had been formulated in response to the ruling of the Supreme Constitutional Court that a ministerial decree requiring the husband's consent to the issue of a wife's passport was unconstitutional. The legislative committee within the National Council for Women would initiate a campaign to raise awareness of the draft law, and had formed a committee to elaborate a new family code.

316. The representative informed the Committee of recent laws and regulations that sought to eliminate discrimination between women and men. These included Law No. 12 of 1996, passed in compliance with the Convention on the Rights of the Child to provide protective measures for mothers and children and to guarantee the rights of women as mothers and working women, and Law No. 1 of 2000, enacted after a 10-year period of consultation. Law No. 1, which entered into force on 1 March 2000, grants women the right to "khul" or unilateral divorce by repudiation without the need to prove damage. Executive decrees issued as a result of Law No. 1 of 2000 included a new marriage contract, which came into effect on 16 August 2000, elaborating protective provisions relating to finances and polygamy. In addition, article 291 of the Penal Code, which provided a defence in cases of kidnap and rape where the defendant marries the victim, was repealed.

317. The representative noted that, despite the progress that had been made in implementing the Convention, there were a number of areas that required attention. They included discrimination against women with regard to the nationality of their children, the low number of women in many areas of decision-making, including the Parliament, the absence of women in the judiciary and the high levels of illiteracy among women and girls and violence against women. In order to overcome these obstacles human rights education was important. The National Council for Women was pursuing an awareness campaign with the aid of the concerned authority. Human rights education had been included in law courses taught at the Police Academy. She referred to the ongoing awareness campaign and training courses on human rights for law enforcement and legal personnel.

318. The representative said that the Government intended to enhance efforts towards the achievement of equality between women and men and the elimination of discrimination against women. She noted that cultural constraints and traditions sometimes impeded change and obstructed implementation of the law. In this context, she said that the Government, through the National Council for Women and in collaboration with the Egyptian Intelligentsia, both men and women

would seek to use indigenous formulations, which were deeply rooted in Egyptian and Islamic culture and which asserted the equality between women and men. With the aid of all concerned, government and non-governmental organizations, the National Council for Women would participate in raising awareness campaigns and to ensure proper interpretations, to clarify misinterpretations of religious concepts and to demonstrate that the principles of sharia provide for the full equality of women with men, and respect for women's human dignity.

319. In conclusion, the representative informed the Committee that efforts were under way to address the reservations entered by the Government of Egypt on ratification of the Convention. It had recommended the withdrawal of the reservation to article 2 of the Convention and as far as article 9, paragraph 2, and article 16 were concerned, they were actively under review.

(b) Concluding comments of the Committee

320. The Committee commends the Government of Egypt on its third and combined fourth and fifth periodic reports, which are in accordance with the Committee's guidelines for the preparation of periodic reports. It also commends the Government for the comprehensive written replies to the questions of the Committee's pre-session working group, and the oral presentation of the delegation, who sought to clarify the current situation of women in Egypt and provided additional information on the implementation of the Convention.

321. The Committee congratulates the Government for the high-level and large delegation headed by the Secretary-General of the National Council for Women. The Committee appreciates the open dialogue that took place between the delegation and the members of the Committee.

Positive aspects

322. The Committee welcomes the establishment of the National Council for Women, which was created by Presidential decree, reports directly to the President and is mandated to monitor laws and policies affecting women's lives, raise awareness and monitor the implementation of the Convention. The Committee considers that the establishment of the Council reflects strong political will and the Government's commitment to enhancing the status of women in compliance with the Convention. The Committee commends the fact that non-governmental organizations are represented in the Council and that they participated in the preparation of the reports.

323. The Committee notes the introduction of legal reforms aimed at the elimination of discrimination against women, particularly Law No. 1 of 2000, which, inter alia, gives women a right to terminate a marriage unilaterally (khul).

324. The Committee takes note with appreciation of the important reduction of female illiteracy rates obtained by Egypt by implementing special programmes and specific budgetary allocations.

Factors and difficulties affecting the implementation of the Convention

325. The Committee notes that, although the Constitution guarantees equality of men and women and the Convention prevails over national legislation, the persistence of patriarchal attitudes and stereotypical behaviour with respect to the role of women and men in the family and society limit the full implementation of the Convention.

Principal areas of concern and recommendations

326. While appreciating the efforts of the National Council for Women to encourage the Government to withdraw its reservations to articles 2 and 9, paragraph 2, and article 16 of the Convention the Committee expresses its concern that these reservations entered by the State party on ratification have been retained.

327. The Committee urges the State party to expedite the steps necessary for the withdrawal of its reservations and in that regard draws its attention to the Committee's statement on reservations in the report on the nineteenth session[4] and, in particular, its view that articles 2 and 16 are central to the object and purpose of the Convention and that, in accordance with article 28, paragraph 2, they should be withdrawn.

328. The Committee notes with concern that women who seek divorce by unilateral termination of their marriage contract under Law No. 1 of 2000 (khul) must in all cases forego their rights to financial provision, including the dower.

329. The Committee recommends that the Government consider a revision of Law No. 1 of 2000, in order to eliminate this financial discrimination against women.

330. The Committee expresses its concern that the Egyptian nationality law prevents an Egyptian woman from passing on her nationality to her children if her husband is not Egyptian, while Egyptian men married to non-Egyptians may do so. It is concerned by the hardship faced by the children of Egyptian women married to non-Egyptian men, including financial hardship with regard to education. The Committee considers this limitation on the rights of women to be inconsistent with the Convention.

331. The Committee calls upon the State party to revise the legislation governing nationality in order to make it consistent with the provisions of the Convention.

332. The Committee notes with concern that the persistence of cultural stereotypes and patriarchal attitudes impedes progress in the implementation of the Convention and the full enjoyment of their human rights. In this regard, the Committee is concerned that article 11 of the Egyptian Constitution, which states that "the State shall enable a woman to reconcile her duties towards her family with her work in society and guarantee her equality with men in the sphere of political, social, cultural and economic life", appears to entrench the woman's primary role as mother and homemaker.

333. The Committee urges the Government to increase awareness-raising programmes, including those specifically directed to men, and to take measures to change stereotypical attitudes and perceptions about the roles and responsibilities of women and men.

334. The Committee expresses its concern at the continuing stereotypical portrayal of women in the media, which encourages discrimination and undermines equality between men and women.

335. The Committee urges the Government, including the National Council for Women, to support the important role of the media in changing stereotypical attitudes towards women and in promoting equality between men and women as prescribed by the Constitution and international standards. It recommends that opportunities be created for the portrayal of positive, non-traditional images of women and that the number of women in decision-making positions in the media be increased. It also recommends that the Government establish, within the Council, a monitoring body on the representation of women in the media.

336. The Committee expresses its concern that the Government has addressed HIV/AIDS only as a health issue.

337. The Committee urges the Government of Egypt to address the multi-dimensional and cross-cutting nature of HIV/AIDS, including its human rights, economic, social, development and security dimensions.

338. Taking note of the successful efforts by the Government to reduce the drop-out rate for girls in primary education, the Committee notes with concern the remaining high level of illiteracy among women, and the rate at which girls and young women drop out of secondary school and university.

339. The Committee calls upon the Government to continue to strengthen its efforts to eradicate female illiteracy in particular in the rural areas. It urges the Government to continue its programmes to prevent drop-outs by girls in primary education, and to reduce the drop-out rate of girls and young women at secondary school and university, including through the use of incentives for parents, so as to provide young women with the necessary skills and knowledge to participate on the basis of equality with men in the labour market.

340. The Committee expresses its concern that stereotypical attitudes about the roles of women and men in the family and society are reflected in the low level of representation of women in decision-making at all levels and in all areas. The Committee expresses its concern in particular that, although there is no law that prohibits the appointment of women as judges, no woman has ever been appointed as a judge.

341. The Committee calls upon the Government to increase the number of women at all levels of decision-making, including in Government and Parliament. It urges the Government to implement temporary special measures, such as numerical goals and quotas connected to time frames, in accordance with article 4, paragraph 1, of the Convention, in order to increase the representation of women at decision-making levels in all areas.

342. The Committee expresses its concern at the lack of information on the participation and conditions of

women in the labour market, including in the private and informal sectors, and that there is little information and data on the impact of the recent privatization measures taken by the Government.

343. The Committee calls upon the Government to provide more information on this area in its next periodic report.

344. The Committee expresses its concern that, although efforts have been made, there is no holistic approach to the prevention and elimination of violence against women, including domestic violence, marital rape, violence against women in detention centres and crimes committed in the name of honour or the punishment of perpetrators. The Committee is also concerned at the high level of violence against adolescent girls, and young married women.

345. The Committee urges the Government to conduct a national survey on the extent of violence against women, including rural women. It calls upon the Government to assess the impact of existing measures to address the various forms of violence against women. It recommends that the root causes of violence against women, especially domestic violence, be investigated so as to improve the effectiveness of legislation, policies and programmes aimed at combating such violence. It also recommends that the Government implement training and sensitization programmes for the judiciary, law enforcement officials and members of the legal and health professions, as well as awareness-raising measures to create zero tolerance in society with regard to violence against women.

346. The Committee expresses its concern that several provisions of the Penal Code discriminate against women. In particular, in case of murder following the crime of adultery, men and women are not treated equally. In addition, prostitutes are penalized, while their clients are not.

347. The Committee urges the Government to eliminate any discriminatory penal provisions, in accordance with the Constitution and the Convention.

348. While welcoming the Minister of Health's Decree of 1996 on female genital mutilation, the Committee expresses its concern at the lack of information on the implementation of this Decree.

349. The Committee requests the Government to provide full details on the implementation of this Decree in its next report, including on public awareness-raising campaigns run by all actors (ministries, the National Council for Women and non-governmental organizations) and on measures that have been taken to educate those whose livelihood depended on performing such procedures.

350. The Committee expresses its concern at the lack of information on rural women, especially in the informal sector.

351. The Committee calls upon the Government to provide in its next periodic report a comprehensive picture of the situation of rural women, in particular with regard to education, health and employment. The Committee recommends that the Government monitor existing programmes and develop additional policies and programmes aimed at the economic empowerment of rural women, ensuring their access to productive resources and capital as well as to health-care services and to social and cultural opportunities.

352. The Committee expresses its concern about the high number of early marriages of girls, especially in rural areas.

353. The Committee recommends that the Government amend the law on the legal age of marriage to prevent early marriage, in line with its obligations as a State party to the Convention.

354. The Committee expresses its concern regarding the continued legal authorization of polygamy.

355. The Committee urges the Government to take measures to prevent the practice of polygamy in accordance with the provisions of the Convention and the Committee's general recommendation 21.

356. The Committee urges the Government to sign and ratify the Optional Protocol to the Convention and to deposit, as soon as possible, its instrument of acceptance of the amendment to article 20, paragraph 1, of the Convention on the Committee's meeting time.

357. The Committee requests the Government to respond to the concerns expressed in the present concluding comments in its next periodic report under article 18 of the Convention.

358. The Committee requests the wide dissemination in Egypt of the present concluding comments in order to make the people of Egypt, and particularly government administrators and politicians, aware of the steps that have been taken to ensure de jure and de

facto equality for women and the future steps required in that regard. It also requests the Government to continue to disseminate widely, in particular to women's and human rights organizations, the Convention and its Optional Protocol, the Committee's general recommendations, the Beijing Declaration and Platform for Action, and the results of the twenty-third special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century".

Chapter V
Ways and means of expediting the work of the Committee

359. The Committee considered ways and means of expediting the work of the Committee (agenda item 8) at its 486th and 508th meetings, on 15 January and 2 February 2001 (see CEDAW/C/SR.486 and 508).

360. The item was introduced by the Chief of the Women's Rights Unit of the Division for the Advancement of Women, who drew attention to the report of the Secretariat (CEDAW/C/2001/I/4) and the revised rules of procedure of the Committee (CEDAW/C/2001/I/WG.I/WP.I).

Action taken by the Committee under agenda item 8

1. Concluding comments of the Committee

361. In the light of its discussion of its current pattern of concluding comments and their means of formulation, the Committee requested the Secretariat to prepare an analysis of the concluding comments it had adopted since its fifteenth session, including those with respect to length, balance and reflection of the concluding observations of other human rights treaty bodies, for the Committee's consideration at its twenty-fifth session, in July 2001. The Committee also requested the Secretariat to compile and index its concluding comments, for use as reference material.

2. Decisions on working methods

362. The Committee requested the Secretariat to compile the decisions and suggestions on working methods it had adopted since its first session, in 1982.

3. Reservations

363. The Committee requested the Secretariat to prepare for the Committee's consideration at its twenty-fifth session an analysis of the approach of other human rights treaty bodies to reservations to human rights treaties in the consideration of reports and communications of States parties.

4. Reports of States parties

364. The Committee requested the Chairperson to inform States parties of its decision 23/II, in which it decided, on an exceptional basis and as a temporary measure, to invite States parties with overdue reports to combine them in a single document. It also requested the Chairperson to draw that decision to the attention of relevant States parties whose reports had been considered by the Committee, in a letter transmitting the concluding comments on the reports of those States parties.

5. Members of the pre-session working group for the twenty-fifth session

365. The Committee decided that the members of the pre-session working group for the twenty-fifth session and their alternates should be:

Members

Naela Gabr (Africa)
Heisoo Shin (Asia)
Frances Livingstone Raday (Europe)
Zelmira Regazzoli (Latin America and the Caribbean)

Alternates

Mavivi Myakayaka-Manzini (Africa)
Sjamsiah Achmad (Asia)
Ayse Feride Acar (Europe)
Yolanda Ferrer Gómez (Latin America and the Caribbean)

6. Members of the Optional Protocol Working Group

366. The Committee decided that the Members of the Optional Protocol Working Group would be: Hanna Beate Schöpp-Schilling (Chairperson), Aída González Martinez, Savitri Goonesekere, Fatima Kwaku and Chikako Taya.

7. Dates of the twenty-fifth session of the Committee

367. Consistent with the calendar of conferences for 2001, the twenty-fifth session should be held from 2 to 20 July 2001. The pre-session working group for the twenty-sixth session would meet from 23 to 28 July 2001. The Optional Protocol Working Group would meet from 23 to 28 July 2001.

8. Reports to be considered at future sessions

368. The Committee decided that it would consider the following reports at its twenty-fifth, twenty-sixth and twenty-seventh sessions:

Twenty-fifth session

Initial reports
Andorra
Guinea
Singapore

Second periodic reports
Guyana

Second and third periodic reports
Netherlands

Second and combined third and fourth periodic reports
Viet Nam

Fourth and fifth periodic reports
Nicaragua
Sweden

Twenty-sixth session

(Subject to the implementation of suggestion 23/I, which concerns the possibility of convening the twenty-sixth session outside United Nations Headquarters)

Initial reports
Trinidad and Tobago

Combined second and third periodic reports
Equatorial Guinea
Uruguay

Combined third and fourth periodic reports
Iceland
Sri Lanka

Fourth periodic reports
Portugal

Fifth periodic reports
Russian Federation

In the event that one of the above-mentioned States parties should be unable to present its report, the Committee would consider the third and fourth periodic reports of Zambia; the combined fourth and fifth periodic reports of Ukraine; or the fifth periodic report of Denmark.

Twenty-seventh session

Initial reports
None

Combined third and fourth periodic reports
Zambia

Fourth periodic reports
Japan

Combined fourth and fifth periodic reports
Ukraine

Fourth and fifth periodic reports
Denmark

In the event that one of the above-mentioned States parties should be unable to present its report, the Committee would consider the third and fourth periodic reports of Belgium; the third and fourth periodic reports of Kenya; or the fourth periodic report of Tunisia.

9. United Nations meetings to be attended by the Chairperson or members of the Committee in 2001

369. The Committee recommended that the Chairperson or an alternate attend the following meetings in 2001:

(a) The Commission on the Status of Women at its forty-fifth session;

(b) The Commission on Human Rights at its fifty-seventh session;

(c) The thirteenth meeting of persons chairing the human rights treaty bodies;

(d) The General Assembly at its fifty-sixth session (Third Committee).

Chapter VI
Implementation of article 21 of the Convention

370. The Committee considered the implementation of article 21 of the Convention (agenda item 7) at its 486th and 508th meetings, on 15 January and 2 February 2001 (see CEDAW/C/SR.486 and 508).

371. The item was introduced by the Chief of the Women's Rights Unit of the Division for the Advancement of Women, who drew attention to a note by the Secretary-General on reports of specialized agencies (CEDAW/C/2001/I/3) and the reports by specialized agencies on the implementation of the Convention in areas falling within the scope of their activities (CEDAW/C/2001/I/3/Add.1-4).

Action taken by the Committee under agenda item 7

1. General recommendation on article 4, paragraph 1, of the Convention

372. The Committee began discussion of a general recommendation on article 4, paragraph 1, of the Convention on temporary special measures aimed at accelerating de facto equality between men and women. It requested the Secretariat to provide at its twenty-fifth session an analysis of the Committee's approach to article 4, paragraph 1, in its consideration of reports of States parties.

2. Contribution of the Committee to the preparatory process and the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance

373. The Committee recognizes the close links between discrimination against women and racism, racial discrimination, xenophobia and related intolerance, and endorses fully General Assembly resolution 52/111, of 12 December 1997, by which the Assembly decided to convene a World Conference on these themes.

374. The Committee welcomes General Assembly resolution 54/154 of 17 December 1999 and Commission on Human Rights resolution 1999/78 of 28 April 1999,[5] inviting United Nations bodies and mechanisms dealing with the question of racism, racial discrimination, xenophobia and related intolerance to participate actively in the preparatory process of the World Conference and to undertake reviews and submit recommendations concerning the World Conference.

375. The Committee, as well as other United Nations bodies, mechanisms and programmes, has undertaken important efforts to promote, respect and protect the human rights and fundamental freedoms of all women irrespective of race, descent or national or ethnic origin.

376. The Convention on the Elimination of All Forms of Discrimination against Women obliges States parties to work towards the realization of the human rights of women in all fields throughout their life cycle, which are an inalienable, integral and indivisible part of universal human rights. This commitment also requires active intervention to prevent all forms of discrimination against women, including preventing such discrimination in the context of racism, racial discrimination, xenophobia and related intolerance.

377. The reports submitted to the Committee by States parties demonstrate that women all over the world continue to suffer multiple discrimination because of their sex and other factors of social exclusion. This multiple discrimination is often suffered by women migrant workers, women asylum seekers and women of diverse race, ethnicity, caste and nationality.

378. The Committee has frequently expressed its concern regarding the situation of women during armed conflicts, particularly those conflicts that have their origin in race and ethnicity. It has noted that discrimination against women of diverse ethnic and racial origins is often manifested in extreme forms of gender-based violence.

379. Too often the disempowerment resulting from discrimination against women is reinforced by abuse of power perpetrated against women with diverse racial identities and other identities that result in social exclusion. The discrimination these women suffer is frequently the result of traditional, patriarchal and historical prejudices. However, the Committee has also noted that economic deprivation and poverty make these women more vulnerable to exploitation.

380. Contemporary phenomena, such as neo-nazism and neo-fascism, the resurgence of religious fundamentalism, selective immigration controls and commercial sexual exploitation of women and girls in

cross-border trafficking also intensify discrimination against women as well as racism, racial discrimination, xenophobia and related intolerance. Violence against women and denial or limitation of their access to health, education, economic opportunity and political participation are major problems in many countries.

381. Taking the above-mentioned factors into consideration, the Committee has frequently requested data disaggregated by both sex and other factors in order to facilitate the formulation and implementation by States parties of laws, policies and programmes to eliminate all forms of discrimination against women, where necessary.

382. The Committee considers that the realization of gender equality and the human rights of women as envisaged in the Convention will contribute significantly to eliminating racism, racial discrimination, xenophobia and related intolerance. In particular, general recommendations 19 on violence against women and 24 on health, provide a holistic range of legal, policy and programmatic interventions. Such interventions will create a supportive environment for protecting women victims of discrimination, provide effective remedies and compensation and eventually eliminate all forms of discrimination.

383. The Committee has decided to prepare a general recommendation on temporary special measures that will encourage legal and policy initiatives as well as goals and targets within a time frame for eliminating discrimination and accelerating de facto equality. In this context, the Committee is considering making an analysis of the interface of gender and racial discrimination through a study of the reports of States parties with a view to compiling best practices in addressing the phenomena of racial discrimination against women.

384. The Committee proposes to the Preparatory Committee and to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance that:

(a) A gender perspective be integrated into all themes of the Conference agenda;

(b) The declaration and the plan of action of the Conference recognize the gender dimension of racism, racial discrimination, xenophobia and related intolerance and promote gender equality;

(c) The plan of action of the Conference contain special measures to protect women and girls from all forms of discrimination, including:

(i) Protection against gender-based violence, rape in situations of armed conflicts, trafficking in women and violence against migrant workers;

(ii) Initiatives to strengthen the implementing mechanisms of international humanitarian law with a view to preventing violence and multiple discrimination against women during armed conflict;

(iii) The development of broad-based human rights education for all segments of the population in the spirit of the Convention on the Elimination of All Forms of Discrimination against Women with a view to creating a value system supportive of gender equality. The creation of such a value system would undoubtedly encourage peaceful conflict resolution and contribute to creating societies based on gender equality, respect for human rights, tolerance and racial and ethnic harmony;

(iv) The introduction of supportive measures to strengthen national institutions and mechanisms dealing with women's rights with the aim of promoting their role in combating intolerance and building racial reconciliation;

(v) The integration of a gender perspective in the efforts of national institutions for the protection of human rights to combat racism, racial discrimination, xenophobia and related intolerance;

(vi) The development of programmes that will promote the civil, cultural, economic, political and social rights of women irrespective of their race, descent or national or ethnic origin;

(vii) Measures to implement the recommendations of the expert group meeting on gender and racial discrimination, held at Zagreb from 21 to 24 November 2000, in preparation for the forty-fifth session of the Commission on the Status of Women.

385. The Committee calls for the universal ratification of the Convention and its Optional Protocol as a critical strategy for the elimination of racism, racial discrimination, xenophobia and related intolerance, as well as the revision of the substantive reservations to the Convention with the aim of their possible

withdrawal. The Committee calls upon all countries to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Rome Statute of the International Criminal Court, the United Nations Convention against Transnational Organized Crime, and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children.

Chapter VII
Provisional agenda for the twenty-fifth session

386. The Committee considered the provisional agenda for its twenty-fifth session at its 508th meeting, on 2 February 2001 (see CEDAW/C/SR.508). The Committee decided to approve the following provisional agenda:

1. Opening of the session.
2. Adoption of the agenda and organization of work.
3. Report of the Chairperson on activities undertaken between the twenty-fourth and twenty-fifth sessions of the Committee.
4. Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women.
5. Implementation of article 21 of the Convention on the Elimination of All Forms of Discrimination against Women.
6. Ways and means of expediting the work of the Committee.
7. Provisional agenda for the twenty-sixth session.
8. Adoption of the report of the Committee on its twenty-fifth session.

Chapter VIII
Adoption of the report

387. At its 508th meeting, on 2 February 2001, the Committee adopted the report on its twenty-fourth session (CEDAW/C/2001/I/L.1 and CEDAW/C/2001/I/CRP.3 and Add.1-9), as orally amended.

Notes

[1] To be issued as *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 38* (A/56/38).

[2] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex II.

[3] General Assembly resolution 54/4, annex.

[4] *Official Records of the General Assembly, Fifty-third Session, Supplement No. 38* (A/53/38/Rev.1), part two, chap. I.

[5] *Official Records of the Economic and Social Council, 1999, Supplement No. 3* (E/1999/23), chap. II, sect. A.